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A HISTORY OF THE INQUISITION OF THE MIDDLE AGES

VOLUME 1

HENRY CHARLES LEA

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A History of the Inquisition of the Middle Ages

Henry Charles Lea's comprehensive three-volume history of the medieval Inquisition, first published in 1888, was firmly based on primary sources and was influential in fostering a rationalist approach to medieval history, breaking with the pious and reverential tone of earlier nineteenth-century work on the middle ages. Lea was convinced that the Inquisition was not arbitrarily devised and implemented but was an inevitable consequence of forces that were dominant in thirteenth-century Christian society. In order to give as full a picture of the Inquisition as possible, Lea examines the jurisprudence of the period. In Volume 1 he presents background information, giving a general account of the Catholic Church in the twelfth century and exploring the events that prompted the Church to set up the Inquisition. He explains the prevalent medieval understanding of the roles of the Church and government in society, and looks at medieval concepts of the relationships between individuals and the Church, the government, one another, and God. Lea shows how these views formed the basis of the Inquisition's structure, organization and processes.

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A History of the Inquisition of the Middle Ages

Volume 1

Henry Charles Lea

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A HISTORY OF THE INQUISITION

Vol. I.

A HISTORY OF

THE INQUISITION

OF

THE MIDDLE AGES

BY

HENRY CHARLES LEA

AUTHOR OF

"AN HISTORICAL SKETCH OF SACERDOTAL CELIBACY," "SUPERSTITION AND FORCE,"
"STUDIES IN CHURCH HISTORY"

IN THREE VOLUMES

VOL I.

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PREFACE.

THE history of the Inquisition naturally divides itself into two portions, each of which may be considered as a whole. The Reformation is the boundary-line between them, except in Spain, where the New Inquisition was founded by Ferdinand and Isabella. In the present work I have sought to present an impartial account of the institution as it existed during the earlier period. For the second portion I have made large collections of material, through which I hope in due time to continue the history to its end.

The Inquisition was not an organization arbitrarily devised and imposed upon the judicial system of Christendom by the ambition or fanaticism of the Church. It was rather a natural—one may almost say an inevitable—evolution of the forces at work in the thirteenth century, and no one can rightly appreciate the process of its development and the results of its activity without a somewhat minute consideration of the factors controlling the minds and souls of men during the ages which laid the foundation of modern civilization. To accomplish this it has been necessary to pass in review nearly all the spiritual and intellectual movements of the Middle Ages, and to glance at the condition of society in certain of its phases.

At the commencement of my historical studies I speedily became convinced that the surest basis of investigation for a given period lay in an examination of its jurisprudence, which presents without disguise its aspirations and the means regarded as best

adapted for their realization. I have accordingly devoted much space to the origin and development of the inquisitorial process, feeling convinced that in this manner only can we understand the operations of the Holy Office and the influence which it exercised on successive generations. By the application of the results thus obtained it has seemed to me that many points which have been misunderstood or imperfectly appreciated can be elucidated. If in this I have occasionally been led to conclusions differing from those currently accepted, I beg the reader to believe that the views presented have not been hastily formed, but that they are the outcome of a conscientious survey of all the original sources accessible to me.

No serious historical work is worth the writing or the reading unless it conveys a moral, but to be useful the moral must develop itself in the mind of the reader without being obtruded upon him. Especially is this the case in a history treating of a subject which has called forth the fiercest passions of man, arousing alternately his highest and his basest impulses. I have not paused to moralize, but I have missed my aim if the events narrated are not so presented as to teach their appropriate lesson.

It only remains for me to express my thanks to the numerous friends and correspondents who have rendered me assistance in the arduous labor of collecting the very varied material, much of it inedited, on which the present work is based. Especially do I desire to record my gratitude to the memory of that cultured gentleman and earnest scholar, the late Hon. George P. Marsh, who for so many years worthily represented the United States at the Italian court. I never had the fortune to look upon his face, but the courteous readiness with which he aided my researches in Italy merit my warmest acknowledgments. To Professor Charles Molinier, of the University of Toulouse, moreover, my special thanks are due as to one who has always been ready to share with a fellow-student his own unrivalled knowledge of the In-

quisition of Languedoc. In the Florentine archives I owe much to Francis Philip Nast, Esq., to Professor Felice Tocco, and to Doctor Giuseppe Papaleoni; in those of Naples, to the Superintendent Cav. Minieri Riccio and to the Cav. Leopoldo Ovary; in those of Venice to the Cav. Teodoro Toderini and Sig. Bartolomeo Cecchetti: in those of Brussels to M. Charles Rahlenbeck. In Paris I have to congratulate myself on the careful assiduity with which M. L. Sandret has exhausted for my benefit the rich collections of MSS., especially those of the Bibliothèque Nationale. To a student, separated by a thousand leagues of ocean from the repositories of the Old World, assistance of this nature is a necessity, and I esteem myself fortunate in having enlisted the co-operation of those who have removed for me some of the disabilities of time and space.

Should the remaining portion of my task be hereafter accomplished, I hope to have the opportunity of acknowledging my obligations to many other gentlemen of both hemispheres who have furnished me with unpublished material illustrating the later development of the Holy Office.

PHILADELPHIA, *August*, 1887.

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THE INQUISITION.

BOOK I.

ORIGIN AND ORGANIZATION.

CHAPTER I.

THE CHURCH.

As the twelfth century drew to a close, the Church was approaching a crisis in its career. The vicissitudes of a hundred and fifty years, skilfully improved, had rendered it the mistress of Christendom. History records no such triumph of intellect over brute strength as that which, in an age of turmoil and battle, was wrested from the fierce warriors of the time by priests who had no material force at their command, and whose power was based alone on the souls and consciences of men. Over soul and conscience their empire was complete. No Christian could hope for salvation who was not in all things an obedient son of the Church, and who was not ready to take up arms in its defence; and, in a time when faith was a determining factor of conduct, this belief created a spiritual despotism which placed all things within reach of him who could wield it.

This could be accomplished only by a centralized organization such as that which had gradually developed itself within the ranks of the hierarchy. The ancient independence of the episcopate was no more. Step by step the supremacy of the Roman see had been asserted and enforced, until it enjoyed the universal jurisdiction which enabled it to bend to its wishes every prelate, under the naked alternative of submission or expulsion. The papal man-

date, just or unjust, reasonable or unreasonable, was to be received and implicitly obeyed, for there was no appeal from the representative of St. Peter. In a narrower sphere, and subject to the pope, the bishop held an authority which, at least in theory was equally absolute; while the humbler minister of the altar was the instrument by which the decrees of pope and bishop were enforced among the people; for the destiny of all men lay in the hands which could administer or withhold the sacraments essential to salvation.

Thus intrusted with responsibility for the fate of mankind, it was necessary that the Church should possess the powers and the machinery requisite for the due discharge of a trust so unspeakably important. For the internal regulation of the conscience it had erected the institution of auricular confession, which by this time had become almost the exclusive appanage of the priesthood. When this might fail to keep the believer in the path of righteousness, it could resort to the spiritual courts which had grown up around every episcopal seat, with an undefined jurisdiction capable of almost unlimited extension. Besides supervision over matters of faith and discipline, of marriage, of inheritance, and of usury, which belonged to them by general consent, there were comparatively few questions between man and man which could not be made to include some case of conscience involving the interpellation of spiritual interference, especially when agreements were customarily confirmed with the sanction of the oath; and the cure of souls implied a perpetual inquest over the aberrations, positive or possible, of every member of the flock. It would be difficult to set bounds to the intrusion upon the concerns of every man which was thus rendered possible, or to the influence thence derivable.

Not only did the humblest priest wield a supernatural power which marked him as one elevated above the common level of humanity, but his person and possessions were alike inviolable. No matter what crimes he might commit, secular justice could not take cognizance of them, and secular officials could not arrest him. He was amenable only to the tribunals of his own order, which were debarred from inflicting punishments involving the effusion of blood, and from whose decisions an appeal to the supreme jurisdiction of distant Rome conferred too often virtual immunity.

The same privilege protected ecclesiastical property, conferred on the Church by the piety of successive generations, and covering no small portion of the most fertile lands of Europe. Moreover, the seignorial rights attaching to those lands often carried extensive temporal jurisdiction, which gave to their ghostly possessors the power over life and limb enjoyed by feudal lords.

The line of separation between the laity and the clergy was widened and deepened by the enforcement of the canon requiring celibacy on the part of all concerned in the ministry of the altar. Revived about the middle of the eleventh century, and enforced after an obstinate struggle of a hundred years, the compulsory celibacy of the priesthood divided them from the people, preserved intact the vast acquisitions of the Church, and furnished it with an innumerable army whose aspirations and ambition were necessarily restricted within its circle. The man who entered the service of the Church was no longer a citizen. He owed no allegiance superior to that assumed in his ordination. He was released from the distraction of family cares and the seduction of family ties. The Church was his country and his home, and its interests were his own. The moral, intellectual, and physical forces which, throughout the laity, were divided between the claims of patriotism, the selfish struggle for advancement, the provision for wife and children, were in the Church consecrated to a common end, in the success of which all might hope to share, while all were assured of the necessities of existence, and were relieved of anxiety as to the future.

The Church, moreover, offered the only career open to men of all ranks and stations. In the sharply-defined class distinctions of the feudal system advancement was almost impossible to one not born within the charmed circle of gentle blood. In the Church, however much rank and family connections might assist in securing promotion to high place, yet talent and energy could always make themselves felt despite lowliness of birth. Urban II. and Adrian IV. sprang from the humblest origin; Alexander V. had been a beggar-boy; Gregory VII. was the son of a carpenter; Benedict XII., of a baker; Nicholas V., of a poor physician; Sixtus IV., of a peasant; Urban IV. and John XXII. were sons of cobblers, and Benedict XI. and Sixtus V. of shepherds; in fact, the annals of the hierarchy are full of those who rose from

the lowest ranks of society to the most commanding positions. The Church thus constantly recruited its ranks with fresh blood. Free from the curse of hereditary descent, through which crowns and coronets frequently lapsed into weak and incapable hands, it called into its service an indefinite amount of restless vigor for which there was no other sphere of action, and which, when once enlisted, found itself perforce identified irrevocably with the body which it had joined. The character of the priest was indelible; the vows taken at ordination could not be thrown aside; the monk, when once admitted to the cloister, could not abandon his order unless it were to enter another of more rigorous observance. The Church Militant was thus an army encamped on the soil of Christendom, with its outposts everywhere, subject to the most efficient discipline, animated with a common purpose, every soldier panoplied with inviolability and armed with the tremendous weapons which slew the soul. There was little that could not be dared or done by the commander of such a force, whose orders were listened to as oracles of God, from Portugal to Palestine and from Sicily to Iceland. "Princes," says John of Salisbury, "derive their power from the Church, and are servants of the priesthood." "The least of the priestly order is worthier than any king," exclaims Honorius of Autun; "prince and people are subjected to the clergy, which shines superior as the sun to the moon." Innocent III. used a more spiritual metaphor when he declared that the priestly power was as superior to the secular as the soul of man was to his body; and he summed up his estimate of his own position by pronouncing himself to be the Vicar of Christ, the Christ of the Lord, the God of Pharaoh, placed midway between God and man, this side of God but beyond man, less than God but greater than man, who judges all, and is judged by none. That he was supreme over all the earth—over pagans and infidels as well as over Christians—was legally proved and universally taught by the mediæval doctors.* Though the power thus vaingloriously asserted was fraught with evil in many ways, yet was it none the less a service to humanity that, in those rude ages, there existed a

* Johann. Saresberiens. Polycrat. lib. iv. cap. iii.—Honor. Augustod. Summ. Glor. de Apost. cap. v., viii.—Innocent PP. III. Regest. de Negot. Rom. Imp. xviii.; Ejusd. Serm. de Sanctis vii.; Serm. de Diversis iii.—Eymerici Direct. Inquisit. Ed. Venet. 1607, p. 353.

moral force superior to high descent and martial prowess, which could remind king and noble that they must obey the law of God even when uttered by a peasant's son; as when Urban II., himself a Frenchman of low birth, dared to excommunicate his monarch, Philip I., for his adultery, thus upholding the moral order and enforcing the sanctions of eternal justice at a time when everything seemed permissible to the recklessness of power.

Yet, in achieving this supremacy, much had been of necessity sacrificed. The Christian virtues of humility and charity and self-abnegation had virtually disappeared in the contest which left the spiritual power dominant over the temporal. The affection of the populations was no longer attracted by the graces and loveliness of Christianity; submission was purchased by the promise of salvation, to be acquired by faith and obedience, or was extorted by the threat of perdition or by the sharper terrors of earthly persecution. If the Church, by sundering itself completely from the laity, had acquired the services of a militia devoted wholly to itself, it had thereby created an antagonism between itself and the people. Practically, the whole body of Christians no longer constituted the Church; that body was divided into two essentially distinct classes, the shepherds and the sheep; and the lambs were often apt to think, not unreasonably, that they were tended only to be shorn. The worldly prizes offered to ambition by an ecclesiastical career drew into the ranks of the Church able men, it is true, but men whose object was worldly ambition rather than spiritual development. The immunities and privileges of the Church and the enlargement of its temporal acquisitions were objects held more at heart than the salvation of souls, and its high places were filled, for the most part, with men in whom worldliness was more conspicuous than the humbler virtues.

This was inevitable in the state of society which existed in the early Middle Ages. While angels would have been required to exercise becomingly the tremendous powers claimed and acquired by the Church, the methods by which clerical preferment and promotion were secured were such as to favor the unscrupulous rather than the deserving. To understand fully the causes which drove so many thousands into schism and heresy, leading to wars and persecutions, and the establishment of the Inquisition, it is neces-

sary to cast a glance at the character of the men who represented the Church before the people, and at the use which they made, for good or for evil, of the absolute spiritual despotism which had become established. In wise and devout hands it might elevate incalculably the moral and material standards of European civilization; in the hands of the selfish and depraved it could become the instrument of minute and all-pervading oppression, driving whole nations to despair.

As regards the methods of election to the episcopate there cannot be said at this period to have been any settled and invariable rule. The ancient form of election by the clergy, with the acquiescence of the people of the diocese, was still preserved in theory, but in practice the electoral body consisted of the cathedral canons; while the confirmation required of the king, or semi-independent feudal noble, and of the pope, in a time of unsettled institutions, frequently rendered the election an empty form, in which the royal or papal power might prevail, according to the tendencies of time and place. The constantly increasing appeals to Rome, as to the tribunal of last resort, by disappointed aspirants, under every imaginable pretext, gave to the Holy See a rapidly-growing influence, which, in many cases, amounted almost to the power of appointment; and Innocent II., at the Lateran Council of 1139, applied the feudal system to the Church by declaring that all ecclesiastical dignities were received and held of the popes like fiefs. Whatever rules, however, might be laid down, they could not operate in rendering the elect better than the electors. The stream will not rise above its source, and a corrupt electing or appointing power is not apt to be restrained from the selection of fitting representatives of itself by methods, however ingeniously devised, which have not the inherent ability of self-enforcement. The oath which cardinals were obliged to take on entering a conclave—"I call God to witness that I choose him whom I judge according to God ought to be chosen"—was notoriously inefficacious in securing the election of pontiffs fitted to serve as the vicegerents of God; and so, from the humblest parish priest to the loftiest prelate, all grades of the hierarchy were likely to be filled by worldly, ambitious, self-seeking, and licentious men. The material to be selected from, moreover, was of such a character that even the most exacting friends of the Church had to content them-

selves when the least worthless was successful. St. Peter Damiani, in asking of Gregory VI. the confirmation of a bishop-elect of Fossombrone, admits that he is unfit, and that he ought to undergo penance before undertaking the episcopate, but yet there is nothing better to be done, for in the whole diocese there was not a single ecclesiastic worthy of the office; all were selfishly ambitious, too eager for preferment to think of rendering themselves worthy of it, inflamed with desire for power, but utterly careless as to its duties.*

Under these circumstances simony, with all its attendant evils, was almost universal, and those evils made themselves everywhere felt on the character both of electors and elected. In the fruitless war waged by Gregory VII. and his successors against this all-pervading vice, the number of bishops assailed is the surest index of the means which had been found successful, and of the men who thus were enabled to represent the apostles. As Innocent III. declared, it was a disease of the Church immedicable by either soothing remedies or fire; and Peter Cantor, who died in the odor of sanctity, relates with approval the story of a Cardinal Martin, who, on officiating in the Christmas solemnities at the Roman court, rejected a gift of twenty pounds sent him by the papal chancellor, for the reason that it was notoriously the product of rapine and simony. It was related as a supreme instance of the virtue of Peter, Cardinal of St. Chrysogono, formerly Bishop of Meaux, that he had, in a single election, refused the dazzling bribe of five hundred marks of silver. Temporal princes were more ready to turn the power of confirmation to profitable account, and few imitated the example of Philip Augustus, who, when the abbacy of St. Denis became vacant, and the provost, the treasurer, and the cellarer of the abbey each sought him secretly, and gave him five hundred livres for the succession, quietly went to the abbey, picked out a simple monk standing in a corner, conferred the dignity on him, and handed him the fifteen hundred livres. The Council of Rouen, in 1050, complains bitterly of the pernicious custom by which ambitious men accumulated, by every possible means, presents wherewith to gain the favor of the prince and his courtiers in order to obtain bishoprics, but it could suggest no rem-

* Gratiani P. I. Dist. LXII.—Concil Lateran. IV. c. xxiii.-xxv.—Isambert, Anciennes Loix Françaises, I. 145.—P. Damiani Lib. I. Epist. ii.

edy. The council was directly concerned only with the Norman dukes, but the contemporary King of France, Henry I., was notorious as a vendor of bishoprics. He had commenced his reign with an edict prohibiting the purchase and sale of preferment under penalty of forfeiture of both purchase-money and benefice, and had boasted that, as God had given him the crown gratis, so he would take nothing for his right of confirmation, reproaching his prelates bitterly for the prevalence of the vice which was eating out the heart of the Church. Yet in time he yielded to the custom, and a single instance will illustrate the working of the system. A certain Helinand, a clerk of low extraction and deficient training, had found favor at the court of Edward the Confessor, where he had ample opportunities of amassing wealth. Happening to be sent on a mission to Henry, he made a bargain by which he purchased the reversion of the first vacant bishopric, which chanced in course of time to be Laon, where he was duly installed. Henry's successor, Philip I., was known as the most venal of men, and from him, by a similar transaction, Helinand purchased, with the money acquired from the revenues of Laon, the primatial see of Reims. Such jobbers in patronage were accustomed to enter into compacts with each other for mutual assistance, and to consult astrologers as to expected vacancies. The manipulation of ecclesiastical preferment was reduced to a system, calling forth the indignant remonstrance of all the better class of churchmen. Instances of these abuses might be multiplied indefinitely, and their influence on the character of the Church cannot easily be overestimated.*

Even where the consideration paid for preferment was not actually money, the effect was equally deplorable. Peter Cantor assures us that, if those who were promoted for relationship were

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* Innocent. PP. III. Regest. I. 261.—P. Cantor. Verb. abbrev. cap. cv.—Alex. PP. III. Epist. 395.—Cæsar. Heisterb. Dial. Mirac. Dist. VI. c. 5.—Concil. Rotomag. ann. 1050 c. 2.—Rodolphi Glabri Hist. Lib. v. c. 5.—Guibert. Noviogent. de Vita sua Lib. III. c. 2.—Joann. Saresberiens. Polycrat. Lib. VII. c. 19.—Hist. Monast. Andaginens. c. 81.—Ruperti Tuitens. Chron. S. Laurent. c. 28, 45.—Hist. Monast. S. Laurent. Leodiens. Lib. v. c. 62, 121–3.—Chron. Cornel. Zantfliet ann. 1305.

A story very similar to that of Philip Augustus is told of the Chancellor of Roger of Sicily and three competitors for the see of Avellana—Joann. Saresberiens. ubi sup.

required to resign, it would cause general destruction throughout the Church; and worse motives were constantly at work. Though Philip I., for his adultery with Bertrade of Anjou, was nominally deprived of the confirmation, or, rather, nomination, of bishops, there were none to prevent his exercise of the power. About the year 1100 the Archbishop of Tours, having gratified the king by disregarding the excommunication under which he lay, claimed his reward by demanding that the vacant see of Orleans should be given to a youth whom he loved not wisely but too well, and who was so notorious for the facility with which he granted his favors (the preceding Archbishop of Tours had likewise been one of his lovers) that he was popularly known as Flora, in allusion to a noted courtesan of the day, and ribald love-songs addressed to him were openly sung in the streets. Such of the Orleans clergy as threatened trouble were put out of the way by false accusations and exiled, and the remainder not only submitted, but even made a jest of the fact that the election took place on the Feast of the Innocents—

> "Elegimus puerum, puerorum festa colentes,
> Non nostrum morem sed regis jussa sequentes." *

Under such influences it was in vain that the better class of men who occasionally appeared in the ranks of the hierarchy, such as Fulbert of Chartres, Hildebert of Le Mans, Ivo of Chartres, Lanfranc, Anselm, St. Bruno, St. Bernard, St. Norbert, and others, struggled to enforce respect for religion and morality. The current against them was too strong, and they could do little but protest and offer an example which few were found to follow. In those days of violence the meek and humble had little chance, and the prizes were for those who could intrigue and chaffer, or whose martial tendencies offered promise that they would make the rights of their churches and vassals respected. In fact, the military character of the mediæval prelates is a subject which it would be interesting to consider in more detail than space will here admit. The wealthy abbeys and powerful bishoprics came to be largely regarded as appropriate means to provide for younger sons of noble houses, or to increase the influence of

* P. Cantor. Verb. abbrev. cap. xxxvi.—Chron. Turon. ann. 1097.—Ivon. Carnotens. Lib. I Epp. lxvi., lxvii.

leading families. By such methods as we have seen they passed into the hands of those whose training had been military rather than religious. The mitre and cross had no more scruple than the knightly pennon to be seen in the forefront of battle. When excommunication failed to bring to reason restless vassals or encroaching neighbors, there was prompt recourse to the fleshly arm, and the plundered peasant could not distinguish between the ravages of the robber baron and of the representative of Christ. One of the early adventures of Rodolph of Hapsburg, by which he won the reputation which elevated him to the imperial throne, was the war declared by Walter, Bishop of Strassburg, against his burghers, because they had refused to aid him in gratuitously interfering in a quarrel between the Bishop of Metz and a troublesome noble. As they disregarded his excommunication, Bishop Walter attacked them vigorously, when they placed themselves under the command of Rodolph, and utterly defeated their pastor, after a war which desolated every portion of Alsace. The chronicles of the period are full of details of this nature. Worldly and turbulent, there was little to differentiate the prelate from the baron, and the latter had no more scruple in making reprisals on Church property than on secular possessions. In the dissensions which reduced the wealthy Abbey of St. Tron to beggary, the pious Godfrey of Bouillon, shortly before the crusade which won for him the throne of Jerusalem, ravaged the abbey lands with fire and sword. The people, on whom fell the crushing weight of these conflicts, could only look upon the baron and priest as enemies both; and whatever might be lacking in the military ability of the spiritual warriors, was compensated for by their seeking to kill the souls as well as the bodies of their foes. This was especially the case in Germany, where the prelates were princes as well as priests, and where a great religious house like the Abbey of St. Gall was the temporal ruler of the Cantons of St. Gall and Appenzel, until the latter threw off the yoke after a long and devastating war. The historian of the abbey chronicles with pride the martial virtues of successive abbots, and in speaking of Ulric III., who died in 1117, he remarks that, worn out with many battles, he at last passed away in peace. All this was in some sort a necessity of the incongruous union of feudal noble and Christian prelate, and though more marked in Germany than elsewhere, it

was to be seen everywhere. In 1224 the Bishops of Coutances, Avranches, and Lisieux withdrew from the army of Louis VIII. at Tours, under an agreement that the king should make legal investigation to determine whether the bishops of Normandy were bound to serve personally in the royal armies; if this was found to be the case, they were to return and pay the amercement for deserting him. The decision apparently went against them, for in 1272 we find them serving personally under Philippe le Hardi. This indisposition to fight the battles of others was not often shown when the cause was their own. Geroch of Reichersperg inveighs bitterly against the warlike prelates who provoke unjust wars, attacking the peaceful and delighting in the slaughter which they cause and witness, giving no quarter, taking no prisoners, sparing neither clergy nor laity, and spending the revenues of the Church on soldiers, to the deprivation of the poor. Such a prelate was Lupold, Bishop of Worms, whose recklessness provoked his brother to say, "My lord bishop, you scandalize us laymen greatly by your example. Before you were a bishop you feared God a little, but now you care nothing for him," to which Bishop Lupold flippantly retorted that when they both should be in hell he would exchange seats if his brother desired. During the wars between the emperors Philip and Otho IV. he personally led his troops in support of Philip, and when his soldiers hesitated about sacking churches, he would tell them that it was enough if they left the bones of the dead. The story is well known of Richard of England, and Philippe of Dreux, the warlike Bishop of Beauvais, who had shown himself equally skilful and ruthless in the predatory warfare of the age, and who, when at last captured by Earl John, complained to Celestin III. of his imprisonment as a violation of ecclesiastical privileges. When Celestin, reproving him for his martial propensities, interceded for his release, King Richard sent to the pope the coat of mail in which the prelate had been captured, with the inquiry made to Jacob by his sons, "Know, whether it be thy son's coat?" to which the good pontiff responded by abandoning the appeal. A different result, not long afterwards, attended a similar experience of Theodore, Marquis of Montferrat, when he defeated and captured Aymon, Bishop of Vercelli. It happened that Cardinal Tagliaferro, papal legate to Aragon, was tarrying at Geneva, and, hearing of the sacrilege,

wrote in threatening wise to the marquis, who responded with the same inquiry as King Richard, sending him the martial gear of the prelate, including his sword still stained with blood. Yet the proud noble felt his inability to cope with his spiritual foes, and not only liberated the bishop, but surrendered to him the fortress which had been the occasion of the war. Even more instructive is the case of the Bishop-elect of Verona, who, in 1265, when marching at the head of an army, was taken prisoner by the troops of Manfred of Sicily. Although Urban IV. was busily urging forward the crusade which was to deprive Manfred of life and kingdom, he had the assurance to demand the liberation of his bishop, telling Manfred that if he had a spark left of the fear of God he would dismiss his prisoner. When Manfred replied, evading the demand with exuberant humility, Clement IV., who had meanwhile succeeded to the papacy, called upon Jayme I. of Aragon to intervene. Neither pope seemed to imagine that there could be any hesitation in acceding to the preposterous claim, and King Jayme interposed so effectually that Manfred offered to release the bishop on his swearing not to bear arms against him in future. Even this condition was not accepted without difficulty. When the spiritual character thus only served to confer immunity for acts of violence, it is easy to understand the irresistible temptation to their commission.*

* Chron. Senonens. Lib. v. cap. xiii.-xv.—Chron. S. Trudon. Lib. v.—Fulbert. Carnotens. Epist. 112.—Metzleri de Viris Illust. S. Gallens. Lib. ii. cap. 28, 30, 36, 38, 39, 40, 41, 43, 45, 49, 53, 54, 56, 57, 60.—Martene Collect. Ampliss. I. 1188-9.—Vaissette, Hist. Gén. de Languedoc. T. IV. p. 7 (Ed. 1742).—Gerhobi Reicbersperg. Exposit. in Psalm lxiv. cap. 34.—Ejusd. Lib. de Ædificio Dei cap. 5.—Cæsar. Heisterbac. Dial. Mirac. Dist. II. cap. 9.—Matt. Paris. Hist. Angl. ann. 1196.—Rog. Hovedens. ann. 1197.—Benedicti Gesta Henrici II. ann 1188.—Baggiolini, Dolcino e i Patarini, p. 53 (Novara, 1838).—Martene Thesaur. II. 90-93, 99, 100, 150, 151, 192.

A clerical rhymer of the thirteenth century describes the prelates of the day—

"Episcopi cornuti
conticuere muti;
ad prædam sunt parati
et indecenter coronati,
pro virga ferunt lanceam
pro infula galeam.

"sicut fortes incedunt
et a Deo discedunt.
ut leones feroces
et ut aquilæ veloces,
ut apri frendentes
exacuere dentes."

Carmina Burana, p. 15 (Breslau, 1883).

The impression which these worldly and turbulent men made upon their quieter contemporaries was, that pious souls believed that no bishop could reach the kingdom of heaven. There was a story widely circulated of Geoffroi de Péronne, Prior of Clairvaux, who was elected Bishop of Tournay, and who was urged by St. Bernard and Eugenius III. to accept, but who cast himself on the ground, saying, "If you turn me out, I may become a vagrant monk, but a bishop never!" On his death-bed he promised a friend to return and report as to his condition in the other world, and did so as the latter was praying at the altar. He announced that he was among the blessed, but it had been revealed to him by the Trinity that if he had accepted the bishopric he would have been numbered with the damned. Peter of Blois, who relates this story, and Peter Cantor, who repeats it, both manifested their belief in it by persistently refusing bishoprics; and not long after an ecclesiastic in Paris declared that he could believe all things except that any German bishop could be saved, because they bore the two swords, of the spirit and of the flesh. All this Cæsarius of Heisterbach explains by the rarity of worthy prelates, and the superabounding multitude of wicked ones; and he further points out that the tribulations to which they were exposed arose from the fact that the hand of God was not visible in their promotion. Language can scarce be stronger than that employed by Louis VII. in describing the worldliness and pomp of the bishops, when he vainly appealed to Alexander III. to utilize his triumph over Frederic Barbarossa by reforming the Church.*

In fact, the records of the time bear ample testimony to the rapine and violence, the flagrant crimes and defiant immorality of these princes of the Church. The only tribunal to which they were amenable was that of Rome. It required the courage of desperation to cause complaints to be made there against them, and when such complaints were made, the difficulty of proving charges, the length to which proceedings were drawn out, and the notorious venality of the Roman curia, afforded virtual immunity. When a resolute and incorruptible pontiff like Innocent III. occupied the

* P. Cantor. Verb. abbrev. cap. liv.—Pet. Blesens. Epist. ccxl.—Cæsar. Heisterb. Dial. Mirac. Dist. II. c. 27, 28; Dist. VI. c. 20.—Varior. ad Alex. PP. III. Epist. xxi. (Migne, Patrolog. CC. 1379).—Pet. Blesens. Tract. quales sunt P. II. IV.

papal chair, there was some chance for sufferers to make themselves heard, and the number of such trials alluded to in his epistles show how wide-spread and deep-rooted was the evil. Yet, even under him, the protraction of the proceedings, and the evident shrinking from final condemnation, show how little encouragement there was for prosecutions likely to react so dangerously on the prosecutor. Thus, in 1198, Gérard de Rougemont, Archbishop of Besançon, was accused by his chapter of perjury, simony, and incest. When summoned to Rome the accusers did not dare to prosecute the charges, though they did not withdraw them, and Innocent, charitably quoting the woman taken in adultery, sent him back to purge himself and be absolved. Then followed a long course of undisturbed scandals, through which religion in his diocese became a mockery. He continued to live in incest with his relative, the Abbess of Remiremont, and other concubines, one of whom was a nun, and another the daughter of a priest; no church could be consecrated or preferment conferred without payment; by his exactions and oppressions his clergy were reduced to live like peasants, and were exposed to the contempt of their parishioners; and monks and nuns who could bribe him were allowed to abandon their convents and marry. At last another attempt was made, in 1211, to remove him, which, after more than a year, resulted in a sentence that he should undergo canonical purgation; *i. e.*, find two bishops and three abbots to join him in an oath of disculpation, when negotiations as to the character of the oath ensued, lasting until 1214. Finally the citizens rose and drove him out; he retired to the Abbey of Bellevaux, where he died in 1225. Maheu de Lorraine, Bishop of Toul, was a prelate of the same stamp. Consecrated in 1200, within two years his chapter applied to Innocent for his deposition, alleging that he had already reduced the revenues of the see from a thousand livres to thirty. It was not until 1210 that his removal could be effected, after a most intricate series of commissions and appeals, interspersed with acts of violence. He was wholly abandoned to debauchery and the chase, and his favorite concubine was his daughter by a nun of Épinal, but he retained a valuable preferment, as Grand-prévôt of Saint-Dié. In 1217 he caused his successor Renaud de Senlis to be murdered, soon after which his uncle, Thiebault, Duke of Lorraine, happening to meet him, slew him on the spot. Ordi-

nary justice, apparently, could do nothing with him. Very similar was the case of the Bishop of Vence, whom Celestin III. had ordered suspended and sent to Rome to answer for his enormities, and who had defiantly continued in the exercise of his functions. On Innocent's accession, in 1198, his excommunication was ordered, which was equally ineffectual; and at length, in 1204, Innocent sent peremptory orders to the Archbishop of Embrun to investigate the charges, and, if they were found correct, to depose him. Meanwhile the diocese had been brought to the verge of ruin, the churches were demolished, and divine service was performed in only a few parishes. So in Narbonne, the headquarters of heresy, the Archbishop, Berenger II., natural son of Raymond Berenger, Count of Barcelona, preferred to live in Aragon, where he held a rich abbey and the bishopric of Lerida, and never even visited his province. Consecrated in 1190, he had never seen it in 1204, though he drew large revenues from it, both in the regular way and by the sale of bishoprics and benefices, which were indiscriminately bestowed on children or on men of the most abandoned lives. The condition of the province, the highest ecclesiastical dignity of France, was consequently shocking in the extreme, through the misconduct of the clergy, the boldness of the heretics, and the violence of the laity. As early as the year 1200, Innocent III. summoned Berenger to account. In 1204 he made another attempt, continued during the following years, as no amendment was visible, and as the farce of appeals from legate to pope was persistently kept up. At length, in 1210, we find Innocent still writing to his legate to investigate the archbishops of Narbonne and Ausch and execute without appeal whatever the canons require, but it was not until 1212 that Berenger was removed. It is probable that even then he might have escaped had not the legate, Arnaud of Citeaux, been desirous of the succession, which he obtained. We can readily believe the assertion of a writer of the thirteenth century, that the process of deposing a prelate was so cumbrous that even the most wicked had no dread of punishment.*

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* Innocent. PP. III. Regest. I. 277; XIV. 125; XVI. 63, 158.—II. 34; VII. 84. —III. 24; VII. 75, 76; VIII. 106; IX. 66; X. 68; XIII. 88; XV. 93. See also II. 236; VI. 216; X. 182, 194; XI. 142; XII. 24, 25; XV. 186, 285; XVI. 12.—

Even where the enormity of offences did not call for papal intervention, the episcopal office was prostituted in a thousand ways of oppression and exaction which were sufficiently within the law to afford the sufferers no opportunity of redress. How thoroughly its profitable nature was recognized, is shown by the case of a bishop who, when fallen in years, summoned together his nephews and relatives that they might agree among themselves as to his succession. They united upon one of their number, and conjointly borrowed the large sums requisite to purchase the election. Unluckily the bishop-elect died before obtaining possession, and on his death-bed was heartily objurgated by his ruined kinsmen, who saw no means of repaying the borrowed capital which they had invested in the abortive episcopal partnership. As St. Bernard says, boys were inducted into the episcopate at an age when they rejoiced rather at escaping from the ferule of their teachers than at acquiring rule; but, soon growing insolent, they learn to sell the altar and empty the pouches of their subjects. In thus exploiting their office the bishops only followed the example set them by the papacy, which, directly or through its agents, by its exactions, made itself the terror of the Christian churches. Arnold, who was Archbishop of Trèves from 1169 to 1183, won great credit for his astuteness in saving his people from spoliation by papal nuncios, for whenever he heard of their expected arrival he used to go to meet them, and by heavy bribes induce them to bend their steps elsewhere, to the infinite relief of his own flock. In 1160 the Templars complained to Alexander III. that their labors for the Holy Land were seriously impaired by the extortions of papal legates and nuncios, who were not content with the free quarters and supply of necessaries to which they were entitled, and Alexander graciously granted the Order special exemption from the abuse, except when the legate was a cardinal. It was

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Gollut République Séquanoise (Ed. Duvernoy, Arbois, 1846, pp. 80, 1724).—La Porte du Theil (Académie des Inscriptions, Notices des MSS. III. 617 sqq.).—Opusc. Tripartiti P. III. cap. iv. (Fasciculi Rer. Expetendarum et Fugiendarum, II. 225, Ed. 1690).

In May, 1212, Legate Arnauld is addressed as Archbishop-elect of Narbonne (Innocent. PP. III. Regest. xv. 93, 101), but in the necrology of the Abbey of Saint-Just of Narbonne, Berenger, at his death, Aug. 11, 1213, is qualified as archbishop (Chron. de S. Just, Vaissette, Ed. Privat, VIII. 218).

worse when the pope came himself. Clement V., after his consecration at Lyons, made a progress to Bordeaux, in which he and his retinue so effectually plundered the churches on the road that, after his departure from Bourges, Archbishop Gilles, in order to support life, was obliged to present himself daily among his canons for a share in the distribution of provisions; and the papal residence at the wealthy Priory of Grammont so impoverished the house that the prior resigned in despair of being able to re-establish its affairs, and his successor was obliged to levy a heavy tax on all the houses of the order. England, after the ignominious surrender of King John, was peculiarly subjected to papal extortion. Rich benefices were bestowed on foreigners, who made no pretext of residence, until the annual revenue thus withdrawn from the island was computed to amount to seventy thousand marks, or three times the income of the crown, and all resistance was suppressed by excommunications which disturbed the whole kingdom. At the general council of Lyons, held in 1245, an address was presented in the name of the Anglican Church, complaining of these oppressions in terms more energetic than respectful, but it accomplished nothing. Ten years later the papal legate, Rustand, made a demand in the name of Alexander IV. for an immense subsidy—the share of the Abbey of St. Albans was no less than six hundred marks—when Fulk, Bishop of London, declared that he would be decapitated, and Walter of Worcester that he would be hanged, sooner than submit; but this resistance was broken down by the device of trumping up fictitious claims of debts due Italian bankers for moneys alleged to have been advanced to defray expenses before the Roman curia, and these claims were enforced by excommunication. When Robert Grosseteste of Lincoln found that his efforts to reform his clergy were rendered nugatory by appeals to Rome, where the offenders could always purchase immunity, he visited Innocent IV. in hopes of obtaining some change for the better, and on utterly failing, he bluntly exclaimed to the pope, "Oh, money, money, how much thou canst effect, especially in the Roman court!" This special abuse was one of old standing, and complaints of its demoralizing effect upon the priesthood date back from the time of the establishment of the appellate jurisdiction of Rome under Charles le Chauve. Prelates like Hildebert of Le Mans, who honestly sought to better the depraved lives

of their clergy, constantly found their efforts frustrated, and had scant reticence in remonstrating. Remonstrances, however, were of little avail, though occasionally an upright pope like Innocent III., whose biographer finds special cause of praise in his refusal of "propinas"—gifts or bribes for issuing letters—would sometimes recall a letter of remission avowedly issued in ignorance of the facts, or would even grant to a prelate the right to punish without appeal, while other popes were found who sought to neutralize the effects of their letters without diminishing the business and fees of the chancery. Even when papal letters were not of this demoralizing character, they were never issued without payment. When Luke, the holy Archbishop of Gran, was thrown in prison by the usurper Ladislas, in 1172, he refused to avail himself of letters of liberation procured from Alexander III., saying that he would not owe his freedom to simony.*

This was by no means the only mode in which the supreme jurisdiction of Rome worked inestimable evil throughout Christendom. While the feudal courts were strictly territorial and local, and the judicial functions of the bishops were limited to their own dioceses so that every man knew to whom he was responsible in a tolerably well-settled system of justice, the universal jurisdiction of Rome gave ample opportunity for abuses of the worst kind. The pope, as supreme judge, could delegate to any one any portion of his authority, which was supreme everywhere; and the papal chancery was not too nice in its discrimination as to the character of the persons to whom it issued letters empowering them to exercise judicial functions and enforce them with the last dread sentence of excommunication—letters, indeed, which, if the papal

* P. Cantor. Verb. abbrev. cap. 71.—S. Bernardi Tract. de Mor. et Offic. Episc. c. vii. No. 25.—Gesta Treviror. Archiep. cap. 92.—Prutz, Malteser Urkunden und Registen, München, 1883, p. 38.—Guillel. Nangiac. Contin. ann. 1305.—Hist. Prior. Grandimont. (Martene Ampliss. Coll. VI. 122, 135-137).—Matt. Paris Hist. Angl. ann. 1245, 1248, 1250, 1252, 1255, 1256.—Hincmari Epist. xxxii. 20. —Hildeberti Cenoman. Epist. Lib. ii. No. 41, 47. —S. Bernard. de Consideratione Lib. i. cap. 4.—Innocent. PP. III. Gesta xli.—Ejusd. Regest. I. 330; II. 265; v. 33, 34; x. 188.—Gregor. PP. IX. Bull. *Desiderantes plurimum* (Potthast Regesta, I. 673).—Chron. Augustan. ann. 1260.—Stephani Tornacens. Epist. 43.—Gualt. Mapes de Nugis Curialium Dist. II. cap. VII.

chancery is not wronged, were freely sold to all able to pay for them. Europe thus was traversed by multitudes of men armed with these weapons, which they used without remorse for extortion and oppression. Bishops, too, were not backward in thus farming out their more limited jurisdictions, and, in the confusion thus arising, it was not difficult for reckless adventurers to pretend to the possession of these delegated powers and use them likewise for the basest purposes, no one daring to risk the possible consequences of resistance. These letters thus afforded a *carte blanche* through which injustice could be perpetrated and malignity gratified to the fullest extent. An additional complication which not unnaturally followed was the fabrication and falsification of these letters. It was not easy to refer to distant Rome to ascertain the genuineness of a papal brief confidently produced by its bearer, and the impunity with which powers so tremendous could be assumed was irresistibly attractive. When Innocent III. ascended the throne he found a factory of forged letters in full operation in Rome, and although this was suppressed, the business was too profitable to be broken up by even his vigilance. To the end of his pontificate the detection of fraudulent briefs was a constant preoccupation. Nor was this industry confined to Rome. About the same period Stephen, Bishop of Tournay, discovered in his episcopal city a similar nest of counterfeiters, who had invented an ingenious instrument for the fabrication of the papal seals. To the people, however, it mattered little whether they were genuine or fictitious; the suffering was the same whether the papal chancery had received its fee or not.*

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* Can. 43, Extra Lib. I. tit. iii.—Petri Exoniens. Summula Exigendi Confessionis (Harduin. VII. 1126).—Concil. Herbipolens. ann. 1287 c. 37.—Concil. apud Campinacum ann. 1238 c. 1, 2, 7.—Concil. apud Castrum Gonterii ann. 1253 can. unic.—C. Nugariolens. ann. 1290 c. 3.—C. Avenionens. ann. 1326 c. 49; ann. 1337 c. 59.—C. Bituricens. ann. 1336 c. 5.—C. Vaurens. ann. 1368 c. 10, 11.—Lucii. PP. III. Epist. 252.—Innocent. PP. III. Regest. Lib. I. Epist. 235, 349, 405, 456, 536, 540; II. 29; III. 37; VI. 120, 233, 234; VII. 26; X. 15, 79, 93; XI. 144, 161, 275; XV. 218, 223; Supplem. 234.—Berger, Registre d'Innocent IV. pp. lxxvi-lxxvii., No. 2591, 3214, 3312, 4086.—Theiner Vet. Monument. Hibern. et Scotor. No. 196, p. 75.—De Reiffenberg, Chron. de Ph. Mouskes, I. ccxxv.

When the comprehensive annual curse, known as the Bull in Cœna Domini, came in fashion, falsifiers of papal letters were included in its anathemas, until the abrogation of the custom in 1773.

Thus the Roman curia was a terror to all who were brought in contact with it. Hildebert of le Mans pictures its officials as selling justice, delaying decisions on every pretext, and, finally, oblivious when bribes were exhausted. They were stone as to understanding, wood as to rendering judgment, fire as to wrath, iron as to forgiveness, foxes in deceit, bulls in pride, and minotaurs in consuming everything. In the next century Robert Grosseteste boldly told Innocent IV. and his cardinals that the curia was the source of all the vileness which rendered the priesthood a hissing and a reproach to Christianity, and, after another century and a half, those who knew it best described it as unaltered.*

When such was the example set by the head of the Church, it would have been a marvel had not too many bishops used all their abundant opportunities for the fleecing of their flocks. Peter Cantor, an unexceptionable witness, describes them as fishers for money and not for souls, with a thousand frauds to empty the pockets of the poor. They have, he says, three hooks with which to catch their prey in the depths—the confessor, to whom is committed the hearing of confessions and the cure of souls; the dean, archdeacon, and other officials, who advance the interest of the prelate by fair means or foul; and the rural provost, who is chosen solely with regard to his skill in squeezing the pockets of the poor and carrying the spoil to his master. These places were frequently farmed out, and the right to torture and despoil the people was sold to the highest bidder. The general detestation in which these gentry were held is illustrated by the story of an ecclesiastic who, having by an unlucky run of the dice lost all his money but five sols, exclaimed in blasphemous madness that he would give them to any one who would teach him how most greatly to offend God, and a bystander was adjudged to have won the money when he said, "If you wish to offend God beyond all other sinners, become an episcopal official or collector." Formerly, continues Peter Cantor, there was some decent concealment in absorbing the property of rich and poor, but now it is publicly and boldly seized through infinite devices and frauds and novelties of extortion. The officials of the prelates are not only their leeches, who suck and are squeezed, but

* Fascic. Rerum Expetendarum et Fugiendarum II. 7, 254–255 (Ed. 1690).

are strainers of the milk of their rapine, retaining for themselves the dregs of sin.*

From this honest burst of indignation we see that the main instrument of exaction and oppression was the judicial functions of the episcopate. Considerable revenues, it is true, were derived from the sale of benefices and the exaction of fees for all official acts, and many prelates did not blush to derive a filthy gain from the licentiousness universal among a celibate clergy by exacting a tribute known as "cullagium," on payment of which the priest was allowed to keep his concubine in peace, but the spiritual jurisdiction was the source of the greatest profit to the prelate and of the greatest misery to the people. Even in the temporal courts, the fines arising from litigation formed no mean portion of the income of the seigneurs; and in the Courts Christian, embracing the whole of spiritual jurisprudence and much of temporal, there was an ample harvest to be gathered. Thus, as Peter Cantor says, the most holy sacrament of matrimony, owing to the remote consanguinity coming within the prohibited degrees, was made a subject of derision to the laity by the venality with which marriages were made and unmade to fill the pouches of the episcopal officials. Excommunication was another fruitful source of extortion. If an unjust demand was resisted, the recalcitrant was excommunicated, and then had to pay for reconciliation in addition to the original sum. Any delay in obeying a summons to the court of the Officiality entailed excommunication with the same result of extortion. When litigation was so profitable, it was encouraged to the utmost, to the infinite wretchedness of the people. When a priest was inducted into a benefice, it was customary to exact of him an oath that he would not overlook any offences committed by his parishioners, but would report them to the Ordinary that the offenders might be prosecuted and fined, and that he would not allow any quarrels to be settled amicably; and though Alexander III. issued a decretal pronouncing all such oaths void, yet they continued to be required. As an illustration of the system a case is recorded where a boy in play accidentally killed a comrade with an arrow. The father of the slayer chanced to be wealthy, and

* P. Cantor. Verb. abbrev. cap. 24.—Cf. Petri. Blesensis Epist. 23; Johann. Sarcsberiens. Polycrat. Lib. VII. cap. 21, Lib. VIII. cap. 17.

the two parents were not permitted to be reconciled gratuitously. Peter of Blois, Archdeacon of Bath, was probably not far wrong when he described the episcopal Ordinaries as vipers of iniquity transcending in malice all serpents and basilisks, as shepherds, not of lambs, but of wolves, and as devoting themselves wholly to malice and rapine.*

Even more efficient as a cause of misery to the people and hostility towards the Church was the venality of many of the episcopal courts. The character of the transactions and of the clerical lawyers who pleaded before them is visible in an attempted reformation by the Council of Rouen, in 1231, requiring the counsel who practised in these courts to swear that they would not steal the papers of the other side or produce forgeries or perjured testimony in support of their cases. The judges were well fitted to preside over such a bar. They are described as extortioners who sought by every device to filch the money of suitors to the last farthing, and when any fraud was too glaring for their own performance they had subordinate officials ever ready to play into their hands, rendering their occupation more base than that of a pimp with his bawds. That money was supreme in all judicial matters was clearly assumed when the Abbey of Andres quarrelled with the mother-house of Charroux, and the latter assured the former that it could spend in any court one hundred marks of silver against every ten livres that the other could afford; and in effect, when the ten years' litigation was over, including three appeals to Rome, Andres found itself oppressed with the enormous debt of fourteen hundred livres *parisis*, while the details of the transaction show the most unblushing bribery. The Roman court set the example to the rest, and its current reputation is visible in the praise bestowed on Eugenius III. for rebuking a prior who commenced a suit before him by offering a mark of gold to win his favor.

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* Concil. Juliobonens. ann. 1080 c. 3, 5.—Concil. Bremens. ann. 1266.—Eadmer. Hist. Novor. Lib. IV.—Concil. Melfitan. ann. 1284 c. 5.—P. Cantor. Verb. abbrev. cap. 24, 79.—Innocent. PP. III. Regest. X. 85; XII. 37.—Pet. Blesensis Epist. 209.

Concil. Rotomag. ann. 1231 c. 48.—P. Cantor. Verb. abbrev. cap. 23.—Innocent. PP. III. Regest I. 376.—Chron. Audres. Monast.—Narrat. Restaur. Abbat. S. Mart. Tornacens. cap. 113, 114.—Joann. Saresberiens. Polycrat. Lib. V. cap. 15. Cf. Lib. VI. cap. 24.

There was another source of oppression which had a loftier motive and better results, but which was none the less grinding upon the mass of the people. It was about this time that the fashion set in of building magnificent churches and abbeys, and the invention of stained glass and its rapid introduction show the luxury of ornamentation which was sought. While these structures were in some degree the expression of ardent faith, yet more were they the manifestation of the pride of the prelates who erected them, and in our admiration of these sublime relics of the past, in whatever reverential spirit we may view the towering spire, the long-arched nave, and the glorious window, we must not lose sight of the supreme effort which they cost—an effort which inevitably fell upon suffering serf and peasant. Peter Cantor assures us that they were built out of exactions on the poor, out of the unhallowed gains of usury, and out of the lies and deceits of the *quæstuarii* or pardoners; and the vast sums lavished upon them, he assures us, would be much better spent in redeeming captives and relieving the necessities of the helpless.*

It was hardly to be expected that prelates such as filled most of the sees of Christendom should devote themselves to the real duties of their position. Foremost among these duties was that of preaching the word of God and instructing their flocks in faith and morals. The office of preacher, indeed, was especially an episcopal function; he was the only man in the diocese authorized to exercise it; it formed no part of the duty or training of the parish priest, who could not presume to deliver a sermon without a special license from his superior. It need not surprise us, therefore, to see this portion of Christian teaching and devotion utterly neglected, for the turbulent and martial prelates of the day were too wholly engrossed in worldly cares to bestow a thought upon a matter for which their unfitness was complete. In 1031 the Council of Limoges expressed a wish that preaching should be done, not only at the episcopal seat, but in other churches, when the will of God inspires a competent doctor to the task; but the Church slumbered on until the spread of heresy aroused it to a sense of its unwisdom in neglecting so powerful a source of influence. In 1209 the Council of Avignon ordered the bishops to preach more

* P. Cantor. Verb. abbrev. cap. 86.

frequently and diligently than heretofore, and, when opportunity offered, to cause preaching to be done by honest and discreet persons. In 1215 the great Council of Lateran admitted the impracticability of bishops attending to this among so many more pressing avocations, and directed them to provide and pay proper persons to visit their parishes and edify the people by word and example. Yet little improvement could be expected from exhortations such as these, and the heretics had the field virtually to themselves until the Preaching Friars arose and were steadily rebuffed by those whose negligence they replaced. The Troubadour Inquisitor Izarn does not hesitate to declare that heresy never could have spread had there been good preachers to oppose it, and that it never could have been subdued but for the Dominicans.*

The character of the lower orders of ecclesiastics could not be reasonably expected to be better than that of their prelates. Benefices were mostly in the gift of the bishops, though, of course, advowsons were frequently held by the laity; special rights of patronage were held by religious bodies, and many of these latter filled vacancies in their own ranks by co-optation. Whatever was the nominating power, however, the result was apt to be the same. It is the universal complaint of the age that benefices were openly sold, or were bestowed through favor, without examination into the qualifications of the appointee, or the slightest regard as to his fitness. Even the rigid virtue of St. Bernard did not prevent him, in 1151, from soliciting a provostship for a graceless youth, the nephew of his friend the Bishop of Auxerre, though repentance induced by cooller reflection led him to withdraw his application, which he could the more easily do on learning that his friend, in dying, had left no less than seven churches to his beloved nephew. In the same year he was more cautious in refusing Count Thibaut of Champagne some preferment which he had asked for his son, a child of tender years; but the mere request for it shows how benefices, when not sold, were wont to be distributed; and it is safe to say that there were few like St. Bernard, with courage and conviction to reject the solicitations of the powerful. It is true that the

* Concil. Lemovicens. ann. 1031.—Concil. Avenionens. ann. 1209 c. 1.—Concil. Lateranens. ann. 1215 c. 10.—Millot, Hist. Litt. des Troubadours, II. 61.

canon law was full of admirable precepts respecting the virtues and qualifications requisite for incumbents, but in practice they were a dead letter. Alexander III. was moved to indignation when he learned that the Bishop of Coventry was in the habit of giving churches to boys under ten years of age, but he could only order that the cures should be intrusted to competent vicars until the nominees reached a proper age, and this age he himself fixed at fourteen; while other popes charitably reduced to seven the minimum age for holding simple benefices or prebends. No effectual check for abuses of patronage, of course, could be expected of Rome, when the curia itself was the most eager recipient of benefit from the wrong. Its army of pimps and parasites was ever on the watch to obtain fat preferments in all the lands of Europe, and the popes were constantly writing to bishops and chapters demanding places for their friends.*

That pluralities, with all their attendant evils and abuses, should be habitual under such a system follows as a matter of course. In vain reforming popes and councils issued constitutions prohibiting them; in vain indignant moralists inveighed against the scandals and injuries which they occasioned, the ruin of the temporalities, the sacrifice of souls, and the general contempt excited for the Church. Forbidden by the canon law, like all other abuses they were a source of profit to the Roman curia, which was always ready to issue dispensations when the holders of pluralities found themselves likely to be disturbed in their sin; or they could be used for purposes of statecraft, as when Innocent IV., in 1246, by skilful use of such dispensations broke up the menacing combination of the nobles of France. In fact, learned doctors of theology were found to defend the lawfulness of the abuse, as was done in a public disputation about the year 1238 by Master Philip, Chancellor of the University of Paris, who was a notorious pluralist himself. His fate, however, was a solemn warning to others. On his death-bed his friend, William of Auvergne, Bishop of Paris,

* S. Bernard. Epistt. 271, 274, 276.—Can. 2, 3, Extra Lib. i. Tit. xiii.—Thomassin, Discip. de l'Église. P. iv. Lib. ii. cap. 38.—Gaufridi Vosiensis Chron. ann. 1181. —Concil. Turon. ann. 1231. c. 16.—Concil. Lugdun. ann. 1274 c. 13.—P. Cantor. Verb. abbrev. cap. 55, 60, 61.—Innocent. PP. III. Regest. xi. 142.—Even a pontiff such as Innocent III. was not above intruding his dependants upon the churches everywhere. His registers are full of such missives.

urged him to resign all his benefices but one, promising to make good the sacrifice if he should recover, but Philip refused, on the ground that he wished to experience whether he should be subjected to damnation on that account. The disputatious ardor of the schoolman was gratified. Soon after his death a dusky shade appeared to the good bishop at his prayers, announced itself to be the chancellor's soul, and declared that it was damned to eternity; though it must be admitted that habitual licentiousness was superadded to pluralism as a cause of hopeless perdition.*

A clergy recruited in such a manner and subjected to such influences could only, for the most part, be a curse to the people under their spiritual direction. A purchased benefice was naturally regarded as a business investment, to be exploited to the utmost profit, and there was little scruple in turning to account every device for extorting money from parishioners, while the duties of the Christian pastorate received little attention.

One of the most fruitful sources of quarrel and discontent was the tithe. This most harassing and oppressive form of taxation had long been the cause of incurable trouble, aggravated by the rapacity with which it was enforced, even to the pitiful collections of the gleaner. It had proved the greatest of the obstacles to Charlemagne's proselyting efforts among the Saxons, and, as we shall see, in the thirteenth century it led to a most devastating crusade against the Frisians. The resistance of the people to its exaction in some places was such that its non-payment was stigmatized as heresy, and everywhere we see it the cause of scandal-

* Concil. Lateran. III. ann. 1179 c. 13, 14; IV. ann. 1215 c. 29.—Innocent. PP. III. Regest. I. 82, 191, 471.—P. Cantor. Verb. abbrev. cap. 31, 32, 34, 80.—Honor. PP. III. Epist. ad Archiep. Bituricens. ann. 1219.—Urbani. PP. V. Constit. 1367 (Harduin. Concil. VII. 1767).—Isambert. Anc. Loix Franc. I. 252.—Matt. Paris. Hist. Angl. ann. 1246 (Ed. 1644 p. 483)—Wadding. Annal. Minor. ann. 1238, No. 8.—D'Argentré, Collect. Judicior. de Nov. Error. I. I. 143.

The correspondence of the papal chancery under Innocent IV., as preserved in the official register, for the first three months of 1245, embraces three hundred and thirty-two letters, and of these about one fifth are dispensations to sixty-five persons to hold pluralities (Berger, Registres d'Innoc. IV. t. I.). A considerable proportion of the remainder are licenses for violations of canon law, showing how exhaustless were the vices of the clergy as a source of profit to the curia. For the rapacity with which the benefices of the dying were sought and disputed, see ibid. No. 1611.

ous altercation between pastor and flock, and between rival claimants, giving rise to a very intricate branch of canon law. Carlyle states that at the outbreak of the French Revolution there were no less than sixty thousand cases arising from tithes then pending before the courts, and though the statement may be exaggerated, it is by no means improbable. Anciently the tithe had been divided into four parts, of which one went to the bishop, one to the parish priest, one to the fabric of the Church, and one to the poor, but in the prevailing acquisitiveness of the period, bishop and priest each seized and held all they could get, the Church received little, and the poor none at all.*

The portion of the tithe which the priest could retain in this scramble was rarely sufficient for his wants, addicted as he frequently was to dissolute living, and exposed to the rapacity of his superiors. The form of simony which consists in selling his sacred ministrations therefore became general. Thus confession, which was now becoming obligatory on the faithful and the exclusive function of the priest, afforded a wide field for perverse ingenuity. Some confessors rated the sacrament of penitence so low that for a chicken or a pint of wine they would grant absolution for any sin, but others understood its productiveness far better. It is related of Einhardt, the priest of Soest, by a contemporary, that he sharply reproved a parishioner who, in preparation for Easter, confessed incontinence during Lent, and demanded of him eighteen deniers that he might say eighteen masses for his soul. Another came who said that during Lent he had abstained from his wife, and he was fined the same amount for masses because he had lost the chance of begetting a child, as was his duty. Both men had to sell their harvests prematurely to raise money to pay the fine, and, happening to meet upon the market-place, compared notes, when

* Clement. PP. IV. Epist. 456. (Martene Thesaur. II. 461).—Alcuini Epist. i. ad Arnon. Salisburg. (Pez Thesaur. II. i. 4).—Decreti P. II. Caus. XIII. Gratiani Comment. in Q. I. cap. i; Caus. XVI. Q. i. cap. 42, 43, 45-47, 56, 57; Caus. XVI. Q. vii. cap. 1-8.—Extra Lib. III. tit. XXX.—Concil. Rotomag. ann. 1189 c. 23. —Concil. Wigorn. ann. 1240 c. 44, 45.—Concil Mertonens. ann. 1300.—Concil. apud Pennam Fidelem ann. 1302 c. 7.—Concil. Maghfeldens. ann. 1332.—Concil. Londin. ann. 1342 c. 4, 5.—Concil. Nimociens. ann. 1298 c. 16.—Concil. Nicosiens. ann. 1340 c. 1.—Concil. Marciac. ann. 1326 c. 30.—Concil. Vaurens. ann. 1368 c. 68-70.—Gerhohi Reichersperg. Lib. de Ædificio Dei c. 46.

they complained to the Dean and Chapter of St. Patroclus, and the story came out, to the scandal of the faithful, but Einhardt was permitted to continue his speculative career. Every function of the priest was thus turned to account, and the complaints of the practice are too frequent and sweeping for us to doubt that it was a general custom. Marriage and funeral ceremonies were refused until the fees demanded were paid in advance, and the Eucharist was withheld from the communicant unless he offered an oblation. To the believer in Transubstantiation nothing could be more inexpressibly shocking, and Peter Cantor well describes the priests of his day as worse than Judas Iscariot, who sold the body of the Lord for thirty pieces of silver, while they do it daily for a denier. Not content with this, many of them transgressed the rules which forbade, except on special occasions, the celebration by a priest of more than one mass a day, and it was almost impossible to enforce its observance; while those who obeyed the rule invented an ingenious evasion through which, by repeating the Introit, they would split a single mass up into half a dozen, and collect an oblation for each.*

If the faithful Christian thus was mulcted throughout life at every turn, the pursuit of gain was continued to his death-bed, and even his body had a speculative value which was turned to account by the ghouls who quarrelled over it. The necessity of the final sacraments for salvation gave rise to an occasional abuse by which they were refused unless an illegal fee or perquisite was paid, such as the sheet on which the dying sinner lay, but this we may well believe was not usual. More profitable was the custom by which the fears of approaching judgment were exploited and legacies for pious uses were suggested as an appropriate atonement for a life of wickedness or cruelty. It is well known how large a portion of the temporal possessions of the Church was procured in this manner, and already in the ninth century it had become a subject of

* Cæsar. Heisterbac. Dial. Mirac. Dist. iii. cap. 40, 41. — Hist. Monast. S. Laurent. Leodiens. Lib. v. cap. 39.—Innocent. PP. III. Regest. I. 220; II. 104.—Pet. Cantor. Verb. abbrev. cap. 27-29, 38-40.—Grandjean, Registre de Benoit XI. No. 975. — Concil. Lateran. IV. ann. 1215, c. 63-66.— Concil. Rotomag. ann. 1231, c. 14.—Teulet, Layettes II. 306, No. 2428.—Const. Provin. S. Edmund. Cantuar. ann. 1236, c. 8.—Synod. Wigorn. ann. 1240, c. 16, 26, 29.—Concil. Turon. ann. 1239, c. 4, 17.

complaint. In 811 Charlemagne, in summoning provincial councils throughout his empire, asks them whether that man can be truly said to have renounced the world who unceasingly seeks to augment his possessions, and by promises of heaven and threats of hell persuades the simple and unlearned to disinherit their heirs, who are thus compelled by poverty to robbery and crime. To this pregnant question the Council of Chalons, in 813, responded by a canon forbidding such practices, and reminding the clergy that the Church should succor the needy rather than despoil them; that of Tours replied that it had made inquiry and could find no one complaining of exheredation; that of Reims prudently passed the matter over in silence; and that of Mainz promised restoration in such cases. This check was but temporary; the Church continued to urge its claims on the fears of the dying, and finally Alexander III., about 1170, decreed that no one could make a valid will except in the presence of his parish priest. In some places the notary drawing a will in the absence of the priest was excommunicated and the body of the testator was refused Christian burial. The reason sometimes alleged for this was the preventing of a heretic from leaving his property to heretics, but the flimsiness of this is shown by the repeated promulgation of the rule in regions where heresy was unknown, and the loud remonstrances against local customs which sought to defeat this development of ecclesiastical greed. Complaints were also sometimes made that the parish priest converted to his personal use legacies which were left for the benefit of pious foundations.*

Even after death the control which the Church exercised over the living and the profit to be derived from him were not abandoned. So general was the custom of leaving considerable sums for the pious ministrations by which the Church lightened the

* Synod. Andegav. ann. 1294, c. 3.—Capit. Car. Mag. II. ann. 811, cap. 5.—Concil. Cabillon. II. ann. 813, c. 6.—Concil. Turonens. III. ann. 813, c. 51.—Concil. Remens. ann. 813.—Concil. Mogunt. ann. 813, c. 6.—Can. 19, Extra Lib. III. tit. xxvi.—Concil. Narbonn. ann. 1227, c. 5.—Concil. Tolosan. ann. 1228, c. 5; ann. 1229, c. 16.—Concil. Rotomag. ann. 1231, c. 23.—Concil. Arelatens. ann. 1234, c. 21; ann. 1275, c. 8.—Constit. Provin. S. Edmund. Cantuar. ann. 1236, c. 33.—Concil. Albiens. ann. 1254, c. 11.—Concil. Andegav. ann. 1266; 1300.—Respons. Episc. Carcassonn. ann. 1275 (Martene Thesaur. I. 1151).—Concil. Nemausiens. ann. 1284, c. 8.—Concil. Ratisbonens. ann. 1303, c. 8.—Concil. Cameracens. ann. 1317.

torments of purgatory, and so usual was the bestowal of oblations at the funeral, that the custody of the corpse became a source of gain not to be despised, and the parish in which the sinner had lived and died claimed to have a reversionary right in the ashes which were thus so profitable. Occasionally intruders would trespass upon their preserves, and some monastery would prevail upon the dying to bequeath his fertilizing remains to its care, giving rise to unseemly squabbles over the corpse and the privilege of burying it and saying mortuary masses for its soul. As early as the fifth century Leo the Great did not hesitate to condemn in the severest terms the rapacity which led the monasteries to invite the living to their retreats for the sake of the possessions which they would bring with them, to the manifest detriment of the parish priest, thus deprived of his legitimate expectations. Leo therefore ordered a compromise, by which one half of the goods and chattels thus acquired should be transferred to the church of the deceased, whether he had entered the monastery dead or alive. The parish churches at last came to claim the bodies of their parishioners as a matter of right, and to deny to the dying the privilege of electing a place of sepulture. It required repeated papal decisions to set aside claims so persistently urged, but these decisions invariably conceded to the churches a portion of one fourth, one third, or one half the sum the deceased had set apart for the care of his soul. In some places the parish church asserted a right by custom to certain payments on the death of a parishioner, and the Council of Worcester, in 1240, decided that when this claim would reduce the widow and orphans to beggary, the Church should mercifully content itself with one third of the estate and relinquish the other two thirds to the family of the defunct; while in Lisbon the last consolations of religion were denied to any one who refused to leave a portion, usually one third, of his property to the Church. Under other local customs, the priest claimed as a perquisite the bier on which a corpse was brought to his church, leading, in case of resistance, to quarrels more lively than edifying. In Navarre the law stepped in to define the amount which the poorer classes should give as an offering in the mortuary mass, being two measures of corn for a peasant. Among the caballeros the usual offering was the incongruous one of a war-horse, a suit of armor, and jewels; and the cost of this was frequently defrayed

by the king to honor the memory of some distinguished knight. That the amounts were not small is evident when we see that, in 1372, Charles II. of Navarre paid to the Franciscan Guardian of Pampeluna thirty livres to redeem the charger, armor, etc., offered at the funeral of Masen Seguin de Badostal. With the rise of the mendicant orders and their enormous popularity, the rivalry between them and the secular clergy for the possession of corpses and the accompanying fees became more intense than ever, creating scandals of which we shall have more to say hereafter.*

On no point were the relations between the clergy and the people more delicate than on that of sexual purity. I have treated this subject fully in another work, and can be spared further reference to it, except to say that at the period under consideration the enforced celibacy of the priesthood had become generally recognized in most of the countries owing obedience to the Latin Church. It had not been accompanied, however, by the gift of chastity so confidently promised by its promoters. Deprived as was the priesthood of the gratification afforded by marriage to the natural instincts of man, the wife at best was succeeded by the concubine ; at worst by a succession of paramours, for which the functions of priest and confessor gave peculiar opportunity. So thoroughly was this recognized that a man confessing an illicit amour was forbidden to name the partner of his guilt for fear it might lead the confessor into the temptation of abusing his knowledge of her frailty. No sooner had the Church, indeed, succeeded in suppressing the wedlock of its ministers, than we find it everywhere and incessantly busied in the apparently impossible task of compelling their chastity—an effort the futility of which is sufficiently demonstrated by its continuance to modern times. The age was not particularly sensitive on the subject of female virtue, but yet the spectacle of a priesthood professing ascetic purity as

* Decreti. II. Caus. xiii. Q. 2.—Can. 1–10, Sexto Lib. III. Tit. xxviii.—Anon Zwetlens. Hist. Rom. Pontif. No. 155 (Pez Thesaur. I. iii. 383).—Narrat. Restaur. Abbat. S. Martini Tornacens. cap. 86–89.—Synod. Wigorn. ann. 1240, c. 50.—Ripoll Bullar. Ord. Prædic. VII. 5.—Grandjean, Registre de Benoit XI. No. 974.—Innocent. PP. III. Regest. VII. 165.—C. B. de Lagrèze, La Navarre, t. II. p. 165.—Concil. Avenion. ann. 1326, c. 27; ann. 1237, c. 32.—Teulet, Layettes II. 306, No. 2428.—Concil. Nimociens. ann. 1296, c. 17.—Constit. Joann. Arch. Nicosiens. ann. 1321, c. 10.—Concil. Vaurens. ann. 1368, c. 63, 64.

an essential prerequisite to its functions, and practising a dissoluteness more cynical than that of the average layman, was not adapted to raise it in popular esteem; while the individual cases in which the peace and honor of families were sacrificed to the lusts of the pastor necessarily tended to rouse the deepest antagonism. As for darker and more deplorable crimes, they were sufficiently frequent, not alone in monasteries from which women were rigorously excluded; and, moreover, they were committed with virtual immunity. Not the least of the evils involved in the artificial asceticism ostensibly imposed on the priesthood was the erection of a false standard of morality which did infinite harm to the laity as well as to the Church. So long as the priest did not defy the canons by marrying, everything could be forgiven. Alexander II., who labored so strenuously to restore the rule of celibacy, in 1064 decided that a priest of Orange who had committed adultery with the wife of his father was not to be deprived of communion for fear of driving him to desperation; and, in view of the fragility of the flesh, he was to be allowed to remain in holy orders, though in the lower grades. Two years later the same pope charitably diminished the penance imposed on a priest of Padua who had committed incest with his mother, and left it to his bishop whether he should be retained in the priesthood. It would be difficult to exaggerate the disastrous influence on the people of such examples.*

Yet perhaps the most efficient cause of demoralization in the clergy, and of hostility between them and the laity, was the personal inviolability and the immunity from secular jurisdiction which they succeeded in establishing as a recognized principle of public law. While this was doubtless necessary for the independence, and even for the safety of a presumably peaceful class in an age of violence, it worked unhappily in a double sense. The readiness with which acquittal was obtainable in ecclesiastical procedure by canonical purgation, or the "wager of law," and the comparative mildness of the penalties in case of conviction, relieved the ecclesiastic in great measure from the terrors of the law, and removed from him the necessity of restraining his evil

* Cæsar. Heisterbac. Dial. Mirac. Dist. III. cap. 27.—P. Cantor. Verb. abbrev. cap. 138.—Löwenfeld Epistt. Pont. Rom. inedl. No. 92, 114 (Lipsiæ, 1885).—See the Author's "Historical Sketch of Sacerdotal Celibacy," 2d edition, 1884.

propensities. At the same time it attracted to the Church vast numbers of worthless men, who, without abandoning their worldly pursuits, entered the lower grades and enjoyed the irresponsibility of their position, to the injury of its character and the detriment of all who came in contact with them. How, in maintaining its privileges, the Church habitually threw its ægis over those least deserving of sympathy, is well illustrated by the intervention of Innocent III. in favor of Waldemar, Bishop of Sleswick. He was the natural son of Cnut V. of Denmark, and had headed an armed insurrection against Waldemar II., the reigning king, on the suppression of which he was cast into prison. Innocent demanded his liberation, as his incarceration was a violation of the immunities of the Church. Waldemar naturally hesitated thus to expose his kingdom to the repetition of revolt, and Innocent at first modified his command in so far as to order the offender conveyed to Hungary and liberated there, promising that he should not be permitted again to disturb the realm; but he subsequently evoked the case to Rome, where, in spite of the bishop being the offspring of a double adultery and thus ineligible to holy orders, and in spite of the representations of the Danish envoys that he had been guilty of perjury, adultery, apostasy, and dilapidation, Innocent, in behalf of the liberties of the Church, restored him to his bishopric and patrimony, with the special privilege of administering it by deputy if he feared that residence would endanger his personal safety. When requested to decide whether laymen could arrest and bring before the episcopal court a clerk caught red-handed in the commission of gross wickedness, Innocent replied that they could only do so under the special command of a prelate—which was tantamount to granting virtual impunity in such cases. A sacerdotal body, whose class-privileges of wrong-doing were so tenderly guarded, was not likely to prove itself a desirable element of society; and when the orderly enforcement of law gradually established itself throughout Christendom, the courts of justice found in the immunity of the ecclesiastic a more formidable enemy to order than in the pretensions of the feudal seigniory. Indeed, when malefactors were arrested, their first effort habitually was to prove their clergy, that they wore the tonsure, and that they were not subject to the jurisdiction of the secular courts, while zeal for ecclesiastical rights, and possibly

for fees, always prompted the episcopal officials to support their claims and demand their release. The Church thus became responsible for crowds of unprincipled men, clerks only in name, who used the immunity of their position as a stalking-horse in preying upon the community.*

The similar immunity attaching to ecclesiastical property gave rise to abuses equally flagrant. The cleric, whether plaintiff or defendant, was entitled in civil cases to be heard before the spiritual courts, which were naturally partial in his favor, even when not venal, so that justice was scarce to be obtained by the laity. That such, in fact, was the experience is shown by the practice which grew up of clerks purchasing doubtful claims from laymen and then enforcing them before the Courts Christian—a speculative proceeding, forbidden, indeed, by the councils, but too profitable to be suppressed. Another abuse which excited loud complaint consisted in harassing unfortunate laymen by citing them to answer in the same case in several spiritual courts simultaneously, each of which enforced its process remorselessly by the expedient of excommunication, with consequent fines for reconciliation, on all who by neglect placed themselves in an apparent attitude of contumacy, frequently without even pausing to ascertain whether the parties thus amerced had actually been cited. To estimate properly the amount of wrong and suffering thus inflicted on the community, we must bear in mind that culture and training were almost exclusively confined to the ecclesiastical class, whose sharpened intelligence thus enabled them to take the utmost advantage of the ignorant and defenceless.†

The monastic orders formed too large and important a class not to share fully in the responsibility of the Church for good or for evil. Great as were their unquestioned services to religion and culture, they were peculiarly exposed to the degrading tendencies

* Stephani Tornacens. Epist. XII.—Innocent. PP. III. Regest. VI. 183; VIII. 192–193; X. 209–210, 215; XV. 202. For the subsequent career of Waldemar of Sleswick, see Regest. XI. 10, 173; XII. 63; XIII. 158; XV. 3; Supplement. 187, 224, 228, 243. Cf. Arnold. Lubecens. VI. 18; VII. 12, 13; and Vaissette, Hist. Gén. de Languedoc, IV. 80 (ed. 1742). For details of clerical immunity, see the author's "Studies in Church History," 2d edition, 1883.

† Concil. ap. Campinacum ann. 1238, c. 1, 6.

of the age, and their virtues suffered proportionally. At this period they were rapidly obtaining exemption from episcopal jurisdiction and subjecting themselves immediately to Rome. This inevitably stimulated conventual degeneracy. Richard, Archbishop of Canterbury, complained bitterly to Alexander III. of the fatal relaxation thus induced in monastic discipline, but to no purpose. It abased the episcopate; it increased the authority of the Holy See, both directly and indirectly, through the important allies thus acquired in its struggles with the bishops; and it was, moreover, a source of revenue, if we may believe the Abbot of Malmesbury, who boasted that for an ounce of gold per year paid to Rome he could obtain exemption from the jurisdiction of the Bishop of Salisbury. In too many cases the abbeys thus became centres of corruption and disturbance, the nunneries scarce better than houses of prostitution, and the monasteries feudal castles where the monks lived riotously and waged war upon their neighbors as ferociously as the turbulent barons, with the added disadvantage that, as there was no hereditary succession, the death of an abbot was apt to be followed by a disputed election producing internal broils and outside interference. Thus in a quarrel of this kind occurring in 1182, the rich abbey of St. Tron was attacked by the Bishops of Metz and Liège, the town and abbey were burned, and the inhabitants put to the sword. The trouble lasted until the end of the century, and when it was temporarily patched up by a pecuniary transaction, the wretched vassals and serfs were reduced to starvation to raise the funds which bought the elevation of an ambitious monk. It is true that all establishments were not lost to the duties for which they had received so abundantly of the benefactions of the faithful. In the famine of 1197, though the monastery of Heisterbach was still young and poor, the Abbot Gebhardt distributed alms so lavishly that sometimes he fed fifteen hundred people a day, while the mother-house of Hemmenrode was even more liberal, and supported all the poor of its district till harvest-time. At the same time a Cistercian abbey in Westphalia slaughtered all its flocks and herds and pledged its books and sacred vessels to feed the starving. It is satisfactory to be assured that in each case the expenditures were more than made up by the donations which the establishments received in consequence of their charity. Such instances go far to redeem the institution of monachism, but

for the most part the abbeys were sources of evil rather than of good.*

This is scarce to be wondered at if we consider the material from which their inmates were drawn. It is the severest reproach upon their discipline to find so enthusiastic an admirer of the strict Cistercian rule as Cæsarius of Heisterbach asserting as an admitted fact that boys bred in monasteries made bad monks and frequently became apostates. As for those who took the vows in advanced life, he enumerates their motives as sickness, poverty, captivity, infamy, mortal danger, dread of hell or desire of heaven, among which the predominance of selfish impulses was not likely to secure a desirable class of devotees. In fact, he assures us that criminals frequently escaped punishment by agreeing to enter monasteries, which thus in some sort became penal settlements, or prisons, and he illustrates this with the case of a robber baron in 1209, condemned to death for his crimes by the Count Palatine Henry, who was rescued by Daniel, Abbot of Schonau, on condition of his entering the Cistercian order. Scarcely less desirable inmates were those who, moved by a sudden revulsion of conscience, would turn from a life stained with crime and violence to bury themselves in the cloister while yet in the full vigor of strength and with passions unexhausted, finding, perhaps, at last their fierce and untamed natures unfitted to bear the unaccustomed restraint. The chronicles are full of illustrations of this passionate religious energy in natures wholly untrained in self-control, and they explain much that otherwise would seem incredible to the calmer and more self-contained world of to-day. For instance when, in 1071, Arnoul III. of Flanders, fell at Montcassel in defending his dominions against his uncle, Robert the Frisian, Gerbald, the knight who slew his suzerain, was seized with remorse for his act and wandered to Rome, where he presented himself before Gregory VII. with the request that his hands be stricken off as a fitting

* Varior. ad Alex. PP. III. Epist. xcv. (Migne, Patrolog. CC. 1457). Cf. Pet. Blesens. Epist. xc.—Innocent. PP. III. Regest. I. 386, 476, 483, 499; V. 159; VIII. 12; IX. 209; XIII. 132; XV. 105.—Pet. Cantor. Verb. abbrev. cap. 44.—Gerhohi Lib. de Ædificio Dei cap. 33; Ejusd. Expos. in Psalm. lxiv. cap. 35.—Chron. S. Trudon. Libb. III., IV., V.—Hist. Vezeliacens. Libb. II.-IV.—Chron. Senoniens. Libb. IV., V.—Cæsar. Heisterbac. Dial. Mirac. Dist. IV. cap. 65-67. For ample details as to the immorality of the monasteries, see the author's "History of Celibacy."

penance. Gregory assented, and ordered his chief cook to do the service, secretly instructing him that if, when the axe was raised, Gerbald shrank or wavered, he was to strike without mercy, but if the penitent was firm, then he was to announce that he was spared. Gerbald did not blench, and the pope declared to him that the hands thus preserved were no longer his but the Lord's, and sent him to Cluny to be placed under the charge of the holy Abbot Hugh, where the fierce warrior peacefully ended his days. If, as sometimes happened, these untamable souls chafed under the irrevocable vow, after the fit of repentance had passed, they offered ample material for internal sedition and external violence.*

Among these ill-assorted crowds it was impossible to maintain the community of property which was the essence of the rule of Benedict. Gregory the Great, when Abbot of St. Andreas, denied the last consolations of religion to a dying brother, and kept his soul for sixty days in the torments of purgatory, because three pieces of gold had been found among his garments. Yet the good monks of St. Andreas, of Vienne, found it necessary to adopt a formal constitution segregating as a sacrilegious thief any of the brethren detected in stealing clothing from the dormitory, or cups or plates from the refectory, and threatening to call in the intervention of the bishop if the offence could not be otherwise suppressed. So it is mentioned that in the Abbey of St. Tron, about the year 1200, each monk had a locked cupboard behind his seat in the refectory, wherein he carefully secured his napkin, spoon, cup, and dish, to preserve them from his brethren. In the dormitory matters were even worse. Those who could procure chests threw into them their bed-clothes on rising, and those who could not were constantly complaining of the thievish propensities of their fellows.†

The name of monk was rendered still more despicable by the crowds of "gyrovagi" and "sarabaitæ" and "stertzer"—wanderers and vagrants, bearded and tonsured and wearing the religious habit, who traversed every corner of Christendom, living by beg-

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* Cæsar. Heisterbac. Dial. Mirac. Dist. I. cap. 3, 24, 31.—Hist. Monast. Andaginens. cap. 34.

† Gregor. PP. I. Dialog. IV. 55.—D'Achery. Spicileg. III. 382.—Chron. S. Trudon. Lib. VI.

ging and imposture, peddling false relics and false miracles. This was a pest which had afflicted the Church ever since the rise of monachism in the fourth century, and it continued unabated. Though there were holy and saintly men among these ghostly tramps, yet were they all subjected to common abhorrence. They were often detected in crime and slain without mercy; and in a vain effort to suppress the evil, the Synod of Cologne, early in the thirteenth century, absolutely forbade that any of them should be received to hospitality throughout that extensive province.*

It was not that earnest efforts were lacking to restore the neglected monastic discipline. Individual monasteries were constantly being reformed, to sink back after a time into relaxation and indulgence. Ingenuity was taxed to frame new and severer rules, such as the Premonstratensian, the Carthusian, the Cistercian, which should repel all but the most ardent souls in search of ascetic self-mortification, but as each order grew in repute for holiness, the liberality of the faithful showered wealth upon it, and with wealth came corruption. Or the humble hermitage founded by a few self-denying anchorites, whose only thought was to secure salvation by macerating the flesh and eluding temptation, would become possessed of the relics of some saint, whose wonder-working powers drew flocks of pious pilgrims and sufferers in search of relief. Offerings in abundance would flow in, and the fame and riches thus showered on the modest retreat of the hermits speedily changed it to a splendid structure where the severe virtues of the founders disappeared amid a crowd of self-indulgent monks, indolent in all good works and active only in evil. Few communities had the cautious wisdom of the early denizens in the celebrated Priory of Grammont, before it became the head of a powerful order. When its founder and first prior, St. Stephen of Thiern, after his death in 1124, commenced to show his sanctity by curing a paralytic knight and restoring sight to a blind man, his single-minded followers took alarm at the prospect of wealth and noto-

* Augustin. de Op. Monachor. ii. 3.—Cassiani. de Cœnob. Instit. ii. 8.—Hieron. Epistt. xxxix.; cxxv. 16.—Regest. S. Benedicti cap. 1.—S. Isidor. Hispal. de Eccles. Offic. II. xvi. 3, 7.—Ludov. Pii de Reform. Eccles. cap. 100.—Smaragd. Comment. in Regest. Benedict. c. 1.—Ripoll Bull. Ord. FF. Prædic. I. 38.—Cæsar. Heisterbac. Dial. Mirac. Dist. VI. cap. 20.—Catalog. Varior. Hæreticor. (Bib. Max. Patrum. Ed. 1618, t. XIII. p. 309).

riety thus about to be forced upon them. His successor, Prior Peter of Limoges, accordingly repaired to his tomb and reproachfully addressed him: "O servant of God, thou hast shown us the path of poverty and hast earnestly striven to teach us to walk therein. Now thou wishest to lead us from the straight and narrow way of salvation to the broad road of eternal death. Thou hast preached the solitude, and now thou seekest to convert the solitude into a market-place and a fair. We already believe sufficiently in thy saintliness. Then work no more miracles to prove it and at the same time to destroy our humility. Be not so solicitous for thy own fame as to neglect our salvation; this we enjoin on thee, this we ask of thy charity. If thou dost otherwise, we declare, by the obedience which we have vowed to thee, that we will dig up thy bones and cast them into the river." This mingled supplication and threat proved sufficient, and until St. Stephen was formally canonized he ceased to perform the miracles so dangerous to the souls of his followers. The canonization, which occurred in 1189, was the result of the first official act of Prior Girard, in applying for it to Clement III., and as Girard had been elected in place of two contestants set aside by papal authority, after dissensions which had almost ruined the monastery, it shows that worldly passions and ambition had invaded the holy seclusion of Grammont, to work out their inevitable result.*

In the failure of all these partial efforts at reform to rescue the monastic orders from their degradation, we hardly need the emphatic testimony of the venerable Gilbert, Abbot of Gemblours, about 1190, when he confesses with shame that monachism had become an oppression and a scandal, a hissing and reproach to all men.†

The religion which was thus exploited by priest and monk

* Brevis Hist. Prior. Grandimont.—Stephani Tornacens. Epistt. 115, 152, 153, 156, 162.

Prior Peter's fear that the convent would be converted into a market-place and a fair is illustrated by the complaint of the Council of Béziers in 1233, that many religious houses were in the habit of retailing their wine within the sacred enclosure, and attracting consumers by having jugglers, actors, gamblers, and strumpets there.—Concil. Biterrens. ann. 1233, c. 23.

† Giberti Gemblac. Epistt. v. vi.

had necessarily become a very different creed from that taught by Christ and Paul. Doctrines are beyond my province, but a brief reference is requisite to certain phases of belief and observance to render clear the relation between clergy and people, and to explain the religious revolt of the twelfth and thirteenth centuries.

The theory of justification by works, to which the Church owed so much of its power and wealth, had, in its development, to a great extent deprived religion of all spiritual vitality, replacing its essentials with a dry and meaningless formalism. It was not that men were becoming indifferent to the destiny of their souls, for never, perhaps, have the terrors of perdition, the bliss of salvation, and the never-ending efforts of the arch-fiend possessed a more burning reality for man, but religion had become in many respects a fetichism. Teachers might still inculcate that pious and charitable works to be efficient must be accompanied with a change of heart, with repentance, with amendment, with an earnest seeking after Christ and a higher life; but in a gross and hardened generation it was far easier for the sinner to fall into the practices habitual around him, which taught that absolution could be had by the repetition of a certain number of Pater Nosters or Ave Marias accompanied by the magical sacrament of penitence; nay, even that if the penitent himself were unable to perform the penance enjoined, it could be undertaken by his friends, whose merits were transferred to him by some kind of sacred jugglery. When a congregation, in preparation for Easter, was confessed and absolved as a whole, or in squads and batches, as was customary with some careless priests, the lesson taught was that the sacrament of penitence was a magic ceremony or incantation, in which the internal condition of the soul was a matter of virtual indifference.*

More serviceable to the Church, and quite as disastrous in its influence on faith and morals, was the current belief that the posthumous liberality of the death-bed, which founded a monastery or enriched a cathedral out of the spoils for which the sinner had no further use, would atone for a lifelong course of cruelty and rapine; and that a few weeks' service against the enemies of a

*Petri Exoniens. Summ. Exigendi Confess. ann. 1287 (Harduin. VII. 1128).—Cæsar. Heisterbac. Dial. Mirac. Dist. III. cap. 45.—Martene Ampliss. Coll. I. 357.

pope would wipe out all the sins of him who assumed the cross to exterminate his fellow-Christians. The use, or abuse, of indulgences, indeed, is a subject which would repay extended investigation, and a brief reference to it may be pardoned here, in view of the frequent allusions to it which will occur hereafter.

That sin, confessed and repented, could be absolved through penance, was a doctrine dating back to primitive times. That penance could be redeemed by sacrifices made for the Church was a corollary of later origin, but yet well established at this period. Thus, in 1059, we see Guido, Archbishop of Milan, imposing on himself a penance of one hundred years, to atone for rebellion against Rome, and redeeming it at a certain sum for each year—a transaction which satisfied even so stern a moralist as St. Peter Damiani. Now the Church was the depository of the treasure of salvation, accumulated through the merits of the Crucifixion and of the saints, and the pope, as the vicar of God, had the unlimited dispensation of that treasure. It was for him to prescribe the methods by which the faithful could partake of it, and no theologian before Wickliffe was hardy enough to question his decisions. According to the modern theory of indulgences they shorten, by specified times, the duration of torment in purgatory, after the soul has escaped condemnation to hell by confession and absolution. In the Middle Ages the distinction was not so nice, and the rewards promised were more direct. At first they consisted in a remission for specified times of the penance imposed for absolution, in return for pious works, pilgrimages to shrines, contributions towards the building of churches, bridges, etc.—for a spiritual punishment could be commuted to a corporal or to a pecuniary one, and the power to grant such indulgence was a valuable franchise to the church which obtained it, for it served as a constant attraction to pilgrims. Abuses, of course, crept in, denounced by Abelard, who vents his indignation at the covetousness which habitually made a traffic of salvation. Alexander III., about 1175, expressed his disapproval of these corruptions, and the great Council of Lateran, in 1215, sought to check the destruction of discipline and the contempt felt for the Church by limiting to one year the amount of penance released by any one indulgence. Great opposition was excited when St. Francis of Assisi procured, in 1223, from Honorius III. the celebrated "Portiuncula" indulgence,

whereby all who visited the Church of Santa Maria de Portiuncula, at Assisi, from the vespers of August 1st to the vespers of August 2d, obtained complete and entire remission of all sins committed since baptism; and even the fact that St. Francis had been directed by God to apply to Honorius for it, and the admission of Satan that this indulgence was depopulating hell, did not serve to reconcile the Dominicans to so great an advantage given to the Franciscans. Boniface VIII., when he conceived the fruitful idea of the jubilee, carried this out still further by promising to all who should perform certain devotions in the basilicas of St. Peter and St. Paul, during the year 1300, not only "*plena venia*," but "*plenissima*," of all their sins. By this time the idea that an indulgence might confer entire forgiveness of all sins had become familiar to the Christian mind. When the Church sought to arouse Europe to supreme exertion for the redemption of the Holy Sepulchre some infinite reward was requisite to excite the enthusiastic fanaticism requisite for the crusades. If Mahomet could stimulate his followers to court death by the promise of immediate and eternal bliss to him who fell fighting for the Crescent, the vicegerent of the true God must not be behindhand in his promises to the martyrs of the Cross. It was to be a death-struggle between the two faiths, and Christianity must not be less liberal than Islam in its bounty to its recruits. Accordingly when Urban II. held the great Council of Clermont, which resolved on the first crusade, and where thirteen archbishops, two hundred and fifteen bishops, and ninety mitred abbots represented the universal Church Militant, the device of plenary indulgence was introduced, and the military pilgrims were exhorted to have full faith that those who fell repentant would gain the completest fruit of eternal mercy. The device was so successful that it became an established rule in all the holy wars in which the Church engaged; all the more attractive, perhaps, because of the demoralizing character of the service, for it was a commonplace of the *jongleurs* of the period that the crusader, if he escaped the perils of sea and land, was tolerably sure to return home a lawless bandit, even as the pilgrim who went to Rome to secure pardon came back much worse than he started. As the novelty of crusading wore off, still greater promises were necessary. Thus, in 1291, Nicholas IV. promised full remission of sins to every one who would send a crusader or go at another's

expense; while he who went at his own expense was vaguely told that in addition he would have an increase of salvation—a term which the Decretalists perhaps could not find it easy to explain. Finally, forgotten sins were included in the pardon, as well as those confessed and repented.*

*P. Damiani Opusc. V.—Concil. Trident. Sess. vi. Decret. de Justific. c. 16, 30.—Migne, Encyclopédie Theologique. t. XXVII. pp. 59–63, 118.—Abælardi Ethica, cap. 25.—Can. 4 Extra Lib. v. tit. xxxviii.—Concil. Lateran. IV. c. 72.—Alani de Insulis contra Hæret. Lib. II. cap. xi.—Gregor. PP. IX. Bull. 29 Apr. 1228; 18 Jul. 1237 (Potthast Regesta, I. 705, 884).—Addis and Arnold's Catholic Diet. s. v. *Portiuncula*.—Lib. Conformitatum S. Frau. Lib. II. tract. ii. (fol. 135–138. Ed. 1513).—Bonifacii PP. VIII. Bull. *Antiquorum habet*.—Concil. Claromont. ann. 1195, c. 2.—Urbani PP. II. Synodalis Concio.—Concil. Lateran. IV. can. ult.—Le Grand d'Aussy, Fabliaux, I. 379, 393.—Prediche del B. Frà Giordano da Rivalto (Firenze, 1831, I. 253).—Nicolai PP. IV. Bull. *Illuminit*, ann. 1291.—Gregor. PP. XII. Bull. *Dudum*, 23 Apr. 1372.

The mediæval doctrine of indulgence is truly expressed by Alonso, Bishop of Avila, in 1443, when disculpating himself to Eugenius IV. from an accusation of doubting the papal power: "Papa etiam potest absolvere ab omnibus peccatis et potest dare plenariam indulgentiam, liberando hominc a tota pœna Purgatorii, scilicet faciendo quod non venict in illum etiamsi multa pœna (peccata) commiserit" (D'Argentré, Collect. Judic. de novis Error. I. ii. 241). Yet when an enthusiastic Franciscan taught at Tournay, in 1482, that the pope at will could empty purgatory, the University of Paris qualified the proposition as doubtful and scandalous (Ibid. I. ii. 305). The same year the University again interfered, when the church of Saintes, having procured a bull of indulgence from Sixtus IV., announced publicly that, no matter how long a period of punishment had been assigned by divine justice to a soul, it would fly from purgatory to heaven as soon as three sols were paid in its behalf to be expended in repairing the church (Ibid. 307). In 1518 the university was obliged to repeat its condemnation of the same promises made to those who would contribute a *teston* for the crusade which was always under way and never attempted (Ib. 355). Yet the doctrine thus condemned by the university was pronounced to be unquestionable Catholic truth by the Dominican Silvestro Mozzolino, in his refutation of Luther's Theses, dedicated to Leo X. (F. Silvest. Prieriatis Dialogus, No. 27). As Silvestro was made general of his order and master of the sacred palace, it is evident that no exceptions to his teaching were taken at Rome. Those who doubt that the abuses of the system were the proximate cause of the Reformation can consult Van Espen, Jur. Eccles. Universi P. II. tit. vii. cap. 3 No. 9–12. Cf. Ibid. P. II. tit. xxxvii. cap. 6 No. 43–46, for their continuance into the eighteenth century.

The modern commercial spirit has not failed to take advantage of the indulgence. The Libreria Religiosa of Barcelona is enabled to advertise that various

As an additional inducement to crusaders they were, moreover, released from earthly as well as heavenly justice, by being classed with clerks and subjected only to spiritual jurisdiction. When accused, the ecclesiastical judge was directed to take them from the secular courts by the use of excommunication, if necessary, and when found guilty of enormous crime, such as murder, they were merely divested of the cross, and punished with the same leniency as ecclesiastics. This became embodied in secular jurisprudence, and its attraction to the reckless adventurers who formed so large a portion of the papal armies is readily conceivable. When, in 1246, those who had taken the cross in France were indulging themselves in robbery, murder, and rape, St. Louis was obliged to appeal to Innocent IV., and the pope responded by instructing his legate that such malefactors were not to be protected.*

Still further rewards were offered when personal ambition and vindictiveness were to be gratified in the crusade preached by Innocent IV. against the Emperor Conrad IV., after the death of Frederic II., when he granted a larger remission of sins than for the voyage to the Holy Land, and included the father and mother of the crusader as beneficiaries in the assurance of heaven. A profitable device had also been introduced by which crusaders, unwilling or unable to perform their vow, were absolved from it on a money payment proportioned to their ability, and very large sums were raised in this manner, which were expended, nominally at least, for the furtherance of the holy cause. The development of the system continued until it came to be employed in the pettiest private quarrels of the popes as masters of the patrimony of St. Peter. If Alexander IV. could use it successfully against Eccelin da Romano, the next century saw John XXII. have recourse to it, not only in making war against a formidable antagonist like Matteo Visconti or the Marquis of Montefeltre, but even when he wished to reduce the rebellious citizens of little places like Osimo and Recanati, in the March of Ancona, or the turbulent

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Spanish prelates have granted an indulgence of 2320 days (fifty-eight quarantaines) to every one who will read or hear read a chapter or even a single page of any of its publications.

* Concil. Turon. ann. 1236, c. 1.—Etablissements de S. Louis, Liv. i. cap. 84.—Berger, Les Registres d'Innocent IV. No. 2230.

people of Rome itself. The ingenious method of granting indulgences to those who took the cross, and then releasing them from service for a sum of money, had become too cumbrous, and the purchase of salvation simplified itself into a direct payment, so that John was able to raise funds for his private wars by thus distributing the treasures of salvation over Christendom, and ordering the prelates everywhere to establish coffers in the churches by which the pious could help the Church while they saved their souls. The prelates who saw with regret the coins of their parishioners disappear into the never-satisfied maelstrom of the Holy See, in vain endeavored to resist. They were no longer independent, and the slender barriers which they sought to erect were easily swept away.*

These money payments were doubtless more practically efficacious than an indulgence, remitting a certain number of days of penance, offered to all who would earnestly pray to God, especially during the solemnity of the mass, for the success of the same pope in his death-struggle with Louis of Bavaria. This is a specimen of the minor indulgences which were frequently granted as a stimulus to acts of devotion, such as visiting cathedrals on the anniversaries of their patron saints; reciting, for the peace and prosperity of the Church, on bended knees, the Pater Noster five times, in honor of the five wounds of Christ; the Ave Maria seven times, in honor of the seven joys of the Virgin, and other similar practices.†

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* Matt. Paris. Hist. Angl. ann. 1251 (p. 553, Ed. 1644).—Chron. Turon. ann. 1226.—Joannis PP. XXII. Regest. IV. 73, 74, 76, 77, 95, 97, 99.—Baluz. et Mansi Miscell. III. 242.—Concil. Ravennat. ann. 1314, c. 20.

† Concil. Avenion. ann. 1326, c. 8.—Concil. Marciacens. ann. 1326, c. 45.—Concil. Vaurens. ann. 1368, c. 127.—Concil. Narbonn. ann. 1374, c. 27.

The magic character attributed to these formulas of devotion is well illustrated by the story of Thierry d'Avesnes, who, during a raid into the territories of Baldwin of Mons, burned the convents of St. Waltruda of Mons, and St. Aldegonda of Maubeuge. Thereupon a holy hermit had a vision in which he saw the two angry saints demanding from the Virgin satisfaction for their injuries. This the Virgin refused, because Ada, the wife of Thierry, rendered to her the most grateful service by repeating the Ave Maria sixty times a day—twenty standing, twenty on her knees, and twenty prostrate. The saints still insisted on their wrongs, and the Virgin at length promised them revenge, when it could be inflicted without injury to Ada. Some years afterwards Thierry incautiously pro-

A more demoralizing system of indulgences was that of sending out "quaestuarii," or pardoners, sometimes furnished with relics, by a church or hospital in need of money, and sometimes merely carrying papal or episcopal letters, by which they were authorized to issue pardons for sin in return for contributions. Though these letters were cautiously framed, yet they were ambiguous enough to enable the pardoners to promise, not only the salvation of the living, but the liberation of the damned from hell for a few small coins. Already, in 1215, the Council of Lateran inveighs bitterly against these practices, and prohibits the removal of relics from the churches; but the abuse was too profitable to be suppressed. Needy bishops and popes were constantly issuing such letters, and the business of the pardoner became a regular profession, in which the most impudent and shameless were the most successful, so that we can readily believe the pseudo Peter of Pilichdorf, when he sorrowfully admits that the "indiscreet" but profitable granting of indulgences to all sorts of men weakened the faith of many Catholics in the whole system. As early as 1261 the Council of Mainz can hardly find words strong enough to denounce the pestilent sellers of indulgences, whose knavish tricks excite the hatred of all men, who spend their filthy gains in vile debauchery, and who so mislead the faithful that confession is neglected on the ground that sinners have purchased forgiveness of their sins. Complaint was useless, however, and the lucrative abuse continued unchecked until it aroused the indignation which

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cured a divorce from her on the plea of consanguinity, because she remained barren after twenty years of marriage, and in a short time, while hunting, he was ambushed and slain by an enemy. His nephew and successor, Joscelin, took warning by this, and was very particular in constantly repeating the Ave Maria, and forcing his troopers to do likewise, so that, although he wrought much evil, yet he made a good ending.—Narrat. Restaur. S. Martini Tornacens. cap. 57.

Somewhat similar is the story of the knight, who, though cruel and revengeful, had such veneration for the cross that he never passed one without descending from his horse and adoring it. Once, when riding alone through a dense forest, he was assailed by the kinsmen of a noble whom he had slain, and was forced to seek safety in flight. Coming to a cross-road, where stood a cross he dismounted and knelt before it, when his enemies, coming up, were struck with sudden blindness, and groped vainly around, while he rode quietly away.—Lucæ Tudensis de Altera Vita Lib. III cap. 6.

found a mouthpiece in Luther. Subsequent councils are full of complaints of the lies and frauds of these peddlers of salvation, who continued to flourish until the Reformation; and Tassoni fairly represents the popular conviction that this was an unfailing resort of the Church in its secular aims—

"Le cose della guerra andavan zoppe;
I Bolognesi richiedean danari
Al Papa, ad egli rispondeva coppe,
E mandava indulgenze per gli altari."*

The sale of indulgences illustrates effectively the sacerdotalism which formed the distinguishing feature of mediæval religion. The believer did not deal directly with his Creator—scarce even with the Virgin or hosts of intercessory saints. The supernatural powers claimed for the priest interposed him as the mediator between God and man; his bestowal or withholding of the sacraments decided the fate of immortal souls; his performance of the mass diminished or shortened the pains of purgatory; his decision in the confessional determined the very nature of sin itself. The implements which he wielded—the Eucharist, the relics, the holy water, the chrism, the exorcism, the prayer—became in some sort fetiches which had a power of their own entirely irrespective of the moral or spiritual condition of him who employed them or of him for whom they were employed; and in the popular view the rites of religion could hardly be more than magic formulas which in some mysterious way worked to the advantage, temporal and spiritual, of those for whom they were performed.

How sedulously this fetichism was inculcated by those who profited from the control of the fetiches is shown by a thousand stories and incidents of the time. Thus a twelfth-century chronicler piously narrates that when, in 887, the relics of St. Martin of Tours were brought home from Auxerre, whither they had been

* Concil. Lateran. IV. c. 62.—P. de Pilichdorf contr. Waldenses cap. xxx. —Concil. Biterrens. ann. 1246, c. 5.—Concil. Cenomanens. ann. 1248.—Concil. Burdegalens. ann. 1255, c. 2.—Concil. Vienn. ann. 1311 (Clementin. Lib. v. tit. ix. c. 2).—Concil. Remens. ann. 1303.—Concil. Carnotens. ann. 1325, c. 18.—Martene Thesaur. IV. 858.—Martene Ampliss. Collect. VII. 197, etc.—Concil. Moguntin. ann. 1261, c. 48.—La Secchia Rapita, xii. 1. For the repression of these abuses after the Reformation see cap. 1, 2 in Septimo iii. 15.

carried to escape the Danish incursions, two cripples of Touraine, who earned an easy livelihood by beggary, on hearing of the approach of the saintly bones, counselled together to escape from the territory as quickly as possible, lest the returning saint should cure them and thus deprive them of claims on the alms of the charitable. Their fears were well founded, but their means of locomotion were insufficient, for the relics arrived in Touraine before they could get beyond the bounds of the province, and they were cured in spite of themselves. The eagerness with which rival princes and republics disputed with each other the possession of these wonder-working fetiches, and the manner in which the holy objects were obtained by force or fraud and defended by the same methods, form a curious chapter in the history of human credulity, and show how completely the miraculous virtue was held to reside in the relic itself, wholly irrespective of the crimes through which it was acquired or the frame of mind of the possessor. Thus in the above case, Ingelger of Anjou was obliged to reclaim from the Auxerrois the bones of St. Martin at the head of an armed force, more peaceful means of recovering the venerated relics having failed; and in 1177 we see a certain Martin, canon of the Breton church of Bomigny, stealing the body of St. Petroc from his own church for the benefit of the Abbey of St. Mevennes, which would not surrender it until the intervention of King Henry II. was brought to bear. Two years after the capture of Constantinople the Venetian leaders, in 1206, forcibly broke into the Church of St. Sophia and carried off a picture of the Virgin, said to have been painted by St. Luke, in which popular superstition imagined her to reside, and kept it in spite of excommunication and interdict launched against them by the patriarch and confirmed by the papal legate. Fairly illustrative of this belief is a story told of a merchant of Groningen who in one of his voyages coveted the arm of St. John the Baptist belonging to a hospital, and obtained it by bribing heavily the mistress of the guardian, who induced him to steal it. On his return the merchant built a house and secretly encased the relic in a pillar forming part of the structure. Under its protection he prospered mightily and grew wealthy, till once in a conflagration he refused to take measures to save the house, saying that it was under good guardianship. The house was not burned, and public curiosity was so much ex-

cited that he was forced to reveal his talisman, when the people carried it off and deposited it in a church, where it worked many miracles, while the merchant was reduced to poverty. It was a superstition even less rational than that which led the Romans to conjure into their camp the tutelary deity of a city which they were besieging; and the universal wearing of relics as charms or amulets had in it nothing to distinguish it from the similar practices of paganism. Even the images and portraits of saints and martyrs had equal virtue. A single glance at the representation of St. Christopher, for instance, was held to preserve one from disease or sudden death for the rest of the day—

"Christophori sancti speciem quicumque tuetur
Illo namque die nullo languore tenetur—

and a huge image of the gigantic saint was often painted on the outside of churches for the preservation of the population. The custom of selecting a patron saint by lot at the altar is another manifestation of the same blindness of superstition.*

The Eucharist was particularly efficacious as a fetich. During the persecution of heresy in the Rhinelands by the inquisitor Conrad of Marburg, in 1233, one obstinate culprit refused to burn in spite of all the efforts of his zealous executioners, until a thoughtful priest brought to the roaring pile a consecrated host. This at once dissolved the spell by a mightier magic, and the luckless heretic was speedily reduced to ashes. A conventicle of these same heretics possessed an image of Satan which gave forth oracular responses, until a priest entering the room produced from his bosom a pyx containing the body of Christ, when Satan at once acknowledged his inferiority by falling down. Not long afterwards St. Peter Martyr overcame, by the same means, the imposture of a Milanese heretic in whose behalf a demon was wont to appear in a heterodox church in the shape of the Virgin, resplendent and holding in her arms the holy Child. The evidence in favor of heresy seemed to be overwhelming, until St. Peter dispelled it by presenting to the demon a host, and saying, "If thou

* Gesta. Consulum. Andegavens. iii. 23.—Roger. Hoveden. ann. 1177.—Innocent. PP. III. Regest. ix. 243.—Cæsar. Heisterbac. Dial. Mirac. Dist. viii. cap. 53. —Muratori. Antiq. Med. Ævi Dissert. lviii.—Anon. Passaviens. adv. Waldens. cap. 5 (Mag. Bib. Pat. XIII. 301).

art the true Mother of God, adore this thy Son," whereupon the demon disappeared in a flash of lightning, leaving an intolerable stench behind him. The consecrated wafer was popularly believed to possess a magic efficacy of incomparable power, and stories are numerous of the punishment inflicted on those who sacrilegiously sought thus to use it. A priest who retained it in his mouth for the purpose of using it to overcome the virtue of a woman of whom he was enamoured, was afflicted with the hallucination that he had swelled to the point that he could not pass through a doorway; and on burying the sacred object in his garden it was changed into a small crucifix bearing a man of flesh and freshly bleeding. So when a woman kept the wafer and placed it in her beehive to stop an epidemic among the bees, the pious insects built around it a complete chapel, with walls, windows, roof, and bell-tower, and inside an altar on which they reverently placed it. Another woman, to preserve her cabbages from the ravages of caterpillars, crumbled a holy wafer and sprinkled it over the vegetables, when she was at once afflicted with incurable paralysis. This particular form of fetichism was evidently not regarded with favor, but it was the direct evolution of orthodox teaching. It was the same in respect to the water in which a priest washed his hands after handling the Eucharist, to which supernatural virtues were ascribed, but the use of which was condemned as savoring of sorcery.*

The power of these magic formulas, as I have said, was wholly disconnected with any devotional feeling on the part of those who employed them. Thus the efficacy of St. Thomas of Canterbury was illustrated by a story of a matron whose veneration for him led her to invoke him on all occasions, and even to teach her pet bird to repeat the formula "Sancte Thoma adjuva me!" Once a hawk seized the bird and flew away with it, but on the bird uttering the accustomed phrase, the hawk fell dead and the bird returned unhurt to its mistress. So little, indeed, of sanctity was requisite, that wicked priests employed the mass as an incantation and execration, mentally cursing their enemies while engaged in its solemnization, and expecting that in some way the malediction

* Hartzheim. Concil. German. III. 543.—Campana, Storia di San Piero Martire Lib. II. cap. 8.—Cæsar. Heisterbac. Dial. Mirac. Dist. IX. cap. 6, 8, 24, 25.

would work evil on the person against whom it was directed. Nay, it was even used in connection with the immemorial superstition of the wax figurine which represented the enemy to be destroyed, and mass celebrated ten times over such an image was supposed to insure his death within ten days.*

Even confession could be used as a magic formula to escape the detection of guilt. As demons professed a knowledge of every crime committed, and would reveal them through the mouth of those whom they possessed, demoniacs were frequently used as detectives in case of suspected persons. Yet when sins were confessed with due contrition, the absolution wiped them forever from the demon's memory, and he would deny all knowledge of them—a fact which was regularly acted on by those afraid of exposure; for even after the demon had revealed the guilt, the perpetrator could go at once and confess, and then confidently return and challenge a repetition of the denunciation.†

Examples such as these could be multiplied almost indefinitely, but they would only serve to weary the reader. What I have given will probably suffice to illustrate the degeneracy of the Christianity superimposed upon paganism and wielded by a sacerdotal body so worldly in its aspirations as that of the Middle Ages.

The picture which I have drawn of the Church in its relations with the people is perhaps too unrelieved in its blackness. All popes were not like Innocent IV. and John XXII.; all bishops were not cruel and licentious; all priests were not intent solely on impoverishing men and dishonoring women. In many sees and abbeys, and in thousands of parishes, doubtless, there were prelates and pastors earnestly seeking to do God's work, and illuminate the darkened souls of their flocks with such gospel light as the superstition of the time would permit. Yet the evil was more apparent than the good; the bumble workers passed away unobtrusively, while pride and cruelty and lust and avarice were demonstrative and far-reaching in their influence. Such as I have

* Cæsar. Heisterbac. Dial. Mirac. Dist. x. cap. 56.—Wibaldi Abbat. Corbeiens. Epist. 157.—P. Cantor. Verb. abbrev. cap. 29.

† Cæsar. Heisterbac. Dial. Mirac. Dist. III. cap. 2, 3, 6; Dist. v. cap. 3.

depicted the Church it appeared to all the men of the time who had the clearest insight and the loftiest aspirations; and its repulsiveness must be understood by those who would understand the movements that agitated Christendom.

No more unexceptionable witness as to the Church of the twelfth century can be had than St. Bernard, and he is never weary of denouncing the pride, the wickedness, the ambition, and the lust that reigned everywhere. When fornication, adultery, incest, palled upon the exhausted senses, a zest was sought in deeper depths of degradation. In vain the cities of the plain were destroyed by the avenging fire of heaven; the enemy has scattered their remains everywhere, and the Church is infected with their accursed ashes. The Church is left poor and bare and miserable, neglected and bloodless. Her children seek not to bedeck, but to spoil her; not to guard her, but to destroy her; not to defend, but to expose; not to institute, but to prostitute; not to feed the flock, but to slay and devour it. They exact the price of sins and give no thought to sinners. "Whom can you show me among the prelates who does not seek rather to empty the pockets of his flock than to subdue their vices?" St. Bernard's contemporary, Potho of Pruhm, in 1152, voices the same complaints. The Church is rushing to ruin, and not a hand is raised to stay its downward progress; there is not a single priest fitted to rise up as a mediator between God and man and approach the divine throne with an appeal for mercy.*

The papal legate, Cardinal Henry of Albano, in his Encyclical letter of 1188 to the prelates of Germany, is equally emphatic though less eloquent. The triumph of the Prince of Darkness is to be expected in view of the depravity of the clergy—their luxury, their gluttony, their disregard of the fasts, their holding of pluralities, their hunting, hawking, and gambling, their trading and their quarrels, and, chief of all, their incontinence, whence the wrath of God is provoked to the highest degree and the worst scandals are created between the clergy and the people. Peter Cantor, about

* S. Bernardi Serm. de Conversione cap. 19, 20.—Ejusd. Serm. 77 in Cantica cap. 1.—Cf. Ejusd. Serm. 33 in Cantica cap. 16; Tract. de Moribus et Offic. Episc. cap. vii. No. 25, 27, 28.—De Consideratione Lib. III. cap. 4, 5.—Potho, Prumiens. de Statu Domus Dei Lib. I.

the same time, describes the Church as filled to the mouth with the filth of temporalities, of avarice, and of negligence, so that in these points it far surpasses the laity; and he points out that nothing is more damaging to the Church than to see laymen superior, as a class, to the clergy. Gilbert of Gembloux tells the same tale. The prelates for the most part enter the Church not by election, but by the use of money and the favor of princes; they enter, not to feed, but to be fed; not to minister, but to be ministered to; not to sow, but to reap; not to labor, but to rest; not to guard the sheep from the wolves, but, fiercer than wolves, themselves to tear the sheep. St. Hildegarda, in her prophecies, espouses the cause of the people against the clergy. "The prelates are ravishers of the churches; their avarice consumes all that it can acquire. With their oppressions they make us paupers and contaminate us and themselves. . . . Is it fitting that wearers of the tonsure should have greater store of soldiers and arms than we? Is it becoming that a clerk should be a soldier and a soldier a clerk? . . . God did not command that one son should have both coat and cloak and that the other should go naked, but ordered the cloak to be given to one and the coat to the other. Let the laity then have the cloak on account of the cares of the world, and let the clergy have the coat that they may not lack that which is necessary." *

One of the main objects in convoking the great Council of Lateran, in 1215, was the correction of the prevailing vices of the clergy, and it adopted numerous canons looking to the suppression of the chief abuses, but in vain. Those abuses were too deeply rooted, and four years later Honorius III., in an Encyclical addressed to all the prelates of Christendom, says that he has waited to see the result. He finds the evils of the Church increasing rather than diminishing. The ministers of the altar, worse than beasts wallowing in their dung, glory in their sins, as in Sodom. They are a snare and a destruction to the people. Many prelates consume the property committed to their trust and scatter the stores of the sanctuary throughout the public places; they promote the unworthy, waste the revenues of the Church on the wicked, and convert the churches into conventicles of their kindred. Monks and

* Cod. Diplom. Viennens. No. 163.—P. Cantor. Verb. abbrev. cap. 57, 59.—Guiberti Abbat. Gemblacens. Epist. 1.—S. Hildegardæ Revelat. Vis. x. cap. 16.

nuns throw off the yoke, break their chains, and render themselves contemptible as dung. "Thus it is that heresies flourish. Let each of you gird his sword to his thigh and spare not his brother and his nearest kindred." What was accomplished by this earnest exhortation may be estimated from the description which Robert Grosseteste, Bishop of Lincoln, gave of the Church in the presence of Innocent IV. and his cardinals in 1250. The details can well be spared, but they are summed up in his assertion that the clergy were a source of pollution to the whole earth; they were antichrists and devils masquerading as angels of light, who made the house of prayer a den of robbers. When the earnest inquisitor of Passau, about 1260, undertook to explain the stubbornness of the heresy which he was vainly endeavoring to suppress, he did so by drawing up a list of the crimes prevalent among the clergy, which is awful in the completeness of its details. A church such as he describes was an unmitigated curse, politically, socially, and morally.*

This is all ecclesiastical testimony. How the clergy were regarded by the laity is illustrated in a remark by William of Puy-Laurens, that it was a common phrase "I had rather be a priest than do that," just as one might say "I had rather be a Jew." It is true that the priests had the same contempt for the monks, for Emeric, Abbot of Anchin, tells us that a clerk would never associate with any one whom he had once seen wearing the black Benedictine habit. But priest and monk were both comprehended in the general detestation of the people. Walther von der Vogelweide sums up the popular appreciation of the whole ecclesiastical body, from pope downward:

"St. Peter's chair is filled to-day as well
As when 'twas fouled by Gerbert's sorcery;
For he consigned himself alone to hell,
While this pope thither drags all Christentie.
Why are the chastisements of Heaven delayed?
How long wilt thou in slumber lie, O Lord?
Thy work is hindered and thy word gainsaid,
Thy treasurer steals the wealth that thou hast stored.

* Honor. PP. III. Epist. ad Archiep. Bituricens. (Martene Collect. Amplis. I. 1149–1151; Thesaur. Anecdot. I. 875–877).—Fascic. Rer. Expetendarum et Fugiendarum, II. 251 (Ed. 1690).—W. Preger, Beiträge zur Geschichte der Waldesier, München, 1875, pp. 64–67.

Thy ministers rob here and murder there,
And o'er thy sheep a wolf has shepherd's care."*

Walther's echo is heard from the other end of Europe in the Troubadour Pierre Cardinal, who enlarges on the same theme in a manner to show how popular were these invectives and how completely they expressed the general feeling:

"I see the pope his sacred trust betray,
For, while the rich his grace can gain alway,
His favors from the poor are aye withholden.
He strives to gather wealth as best he may,
Forcing Christ's people blindly to obey,
So that he may repose in garments golden.
The vilest traffickers in souls are all
His chapmen, and for gold a prebend's stall
He'll sell them, or an abbacy or mitre.
And to us he sends clowns and tramps who crawl
Vending his pardon briefs from cot to hall—
Letters and pardons worthy of the writer,
Which leave our pokes, if not our souls, the lighter.

"No better is each honored cardinal.
From early morning's dawn to evening's fall,
Their time is passed in eagerly contriving
To drive some bargain foul with each and all.
So, if you feel a want, or great or small,
Or if for some preferment you are striving,
The more you please to give the more 'twill bring,
Be it a purple cap or bishop's ring.
And it need ne'er in any way alarm you
That you are ignorant of everything
To which a minister of Christ should cling,
You will have revenue enough to warm you—
And, bear in mind, that lesser gifts won't harm you.

"Our bishops, too, are plunged in similar sin,
For pitilessly they flay the very skin
From all their priests who chance to have fat livings.
For gold their seal official you can win
To any writ, no matter what's therein.
Sure God alone can make them stop their thievings.

* Guill. Pod. Laurent. Chron. Procem.—Narrat. Restaur. Abbat. S. Martini Tornacens. cap. 38.—Panniers Walthers von der Vogelweide sämmtliche Gedichte, No. 110, p. 118. Cf. No. 85, 111-113.

'Twere hard, in full, their evil works to tell,
As when, for a few pence, they greedily sell
The tonsure to some mountebank or jester,
Whereby the temporal courts are wronged as well,
For then these tonsured rogues they cannot quell.
Howe'er their scampish doings may us pester,
While round the church still growing evils fester.

"Then as for all the priests and minor clerks,
There are, God knows, too many of them whose works
And daily life belie their daily teaching.
Scarce better are they than so many Turks,
Though they, no doubt, may be well taught—it irks
Me not to own the fulness of their teaching—
For, learned or ignorant, they're ever bent
To make a traffic of each sacrament,
The Mass's holy sacrifice included;
And when they shrive an honest penitent,
Who will not bribe, his penance they augment,
For honesty should never be obtruded—
But this, by sinners fair, is easily eluded.

"Tis true the monks and friars make ample show
Of rules austere which they all undergo,
But this the vainest is of all pretences.
In sooth, they live full twice as well, we know,
As e'er they did at home, despite their vow,
And all their mock parade of abstinences.
No jollier life than theirs can be, indeed;
And specially the begging friars exceed,
Whose frock grants license as abroad they wander.
These motives 'tis which to the Orders lead
So many worthless men, in sorest need
Of pelf, which on their vices they may squander,
And then, the frock protects them in their plunder."*

It was inevitable that such a religion should breed dissidence and such a priesthood provoke revolt.

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* From "La Gesta de Fra Peyre Cardinal," Raynouard, Lexique Roman, I. 464. See also pp. 446, 451. Cardinal was of noble birth and high consideration at the courts of Aragon and Toulouse; he was born in 1206, and is said to have lived until 1306. He was no heretic, although "los fals clerques reprendia molt."—(Miquel de la Tor, Vie de Peire Cardinal, ap. Meyer, Anciens Textes p. 109.)—See also his Sirvente, "Un sirventes vuelh far dels autz glotos" (Raynouard, Lexique Roman, I. 447).

CHAPTER II.

HERESY.

THE Church, which we have seen so far removed from its ideal and so derelict in its duties, found itself, somewhat unexpectedly, confronted by new dangers and threatened in the very citadel of its power. Just as its triumph over king and kaiser was complete a new enemy arose in the awakened consciousness of man. The dense ignorance of the tenth century, which followed the evanescent Carlovingian civilization, had begun in the eleventh to yield to the first faint pulsations of intellectual movement. Early in the twelfth century that movement already shows in its gathering force the promise of the development which was to render Europe the home of art and science, of learning, culture, and civilization. The stagnation of the human mind could not be thus broken without leading to inquiry and to doubt. When men began to reason and to ask questions, to criticise and to speculate on forbidden topics, it was not possible for them to avoid seeing how woful was the contrast between the teaching and the practice of the Church, and how little correspondence existed between religion and ritual, between the lives of monk and priest and the profession of their vows. Even the blind reverence which for generations had been felt for the utterances of the Church began to be shaken. Such a book as Abelard's "Sic et Non," in which the contradictions of tradition and decretal were pitilessly set forth, was not only an indication of mental disquiet ripening to rebellion, but a fruitful source of future trouble in sowing the seeds of further investigation and irreverence. Vainly, at the command of the Roman curia, might Gratian seek to show, in his famous "Concordantia Discordantium Canonum," that the contradictions might be reconciled, and that the canon law was not merely a mass of clashing rules called forth by special exigencies, but an harmonious body of spiritual law. The fatal word had been spoken, and the efforts of

the Glossators, of Masters of Sentences, of Angelic Doctors, and of the innumerable crowd of scholastic theologians and canon lawyers, with all their skilful dialectics, could never restore to the minds of men the placid and unbroken trust in the divine inspiration of the Church Militant. Few as were the assailants as yet, and intermittent as were their attacks, the very number of the defenders and the vigor of the defence show the danger which was recognized as dwelling in the spirit of inquiry which had at last been partially aroused from its long slumber.

That spirit had received a powerful impulse from the school of Toledo, whither adventurous scholars flocked as to the fountain where they could take long draughts of Arabic and Grecian and Jewish lore. Even in the darkness of the tenth century Sylvester II., while yet plain Gerbert of Aurillac, had acquired a sinister reputation as a magician, owing to his asserted studies of forbidden science at that centre of intellectual activity. Towards the middle of the twelfth century Robert de Rétines, at the instance of Peter the Venerable of Cluny, laid aside for a while his studies in astronomy and geometry, in order to translate the Koran, and enable his patron to controvert the errors of Islam. The works of Aristotle and Ptolemy, of Abubekr, Avicenna, and Alfarabi, and finally those of Averrhoes, were rendered into Latin, and were copied with incredible zeal in all the lands of Christendom. The Crusaders, too, brought home with them fragmentary remains of ancient thought which met with an equally warm reception. It is true that judicial astrology was the chief subject of study and speculation among these new-found treasures, but the earnestness with which more fruitful topics were investigated and the danger which lurked in them are evidenced by the repeated prohibitions of the works of Aristotle and the denunciations of their use in the University of Paris. Even more menacing to the Church was the revival of the Civil Law. Whether or not this was caused by the discovery of the Pandects of Amalfi, the ardor with which it came, by the middle of the twelfth century, to be studied in all the great centres of learning is incontestable, and men found, to their surprise, that there was a system of jurisprudence of wonderful symmetry and subtle adjustment of right, immeasurably superior to the clumsy and confused canon law and the barbarous feudal customs, while drawing its authority from immutable justice as rep-

resented by the sovereign, and not from canon or decretal, from pope or council, or even from Holy Writ. The clearsightedness of St. Bernard was not in fault when, as early as 1149, he recognized the danger to the Church, and complained that the courts rang with the laws of Justinian rather than with those of God.*

To understand fully the effect of this intellectual movement upon the popular mind and heart, we must picture to ourselves a state of society in many respects wholly unlike our own. It is not only that in civilized lands settled institutions have rendered men more submissive to law and custom, but the diffusion of intelligence and the training of generations have brought them more under the control of reason and rendered them less susceptible to impulse and emotion. Even in modern times we have seen, in outbursts like the Revolution of '89, the possibilities of popular frenzy when reason is dethroned by passion. Yet the madness of the Reign of Terror is no unapt illustration of the violent emotions to which mediæval populations were subject, for good or for evil, giving occasion to the startling contrasts which render the period so picturesque, and relieve the sordidness of its daily life with splendid exhibitions of the loftiest enthusiasm or with hideous deeds of brutality. Unaccustomed to restraint, vigorous manhood asserted itself in all its greatness and its littleness, whether in wreaking cruel vengeance upon the defenceless or in offering itself joyfully as a sacrifice to humanity. Thrills of delirious emotion spread from land to land, arousing the populations from their lethargy in blind attempts to achieve they scarcely knew what—in crusades which bleached the sands of Palestine with Christian bones, in wild excesses of flagellation, in purposeless wanderings of the Pastoureaux. In the deep and hopeless misery which oppressed the mass of the people there was an ever-present feeling of unrest which constantly saw in the near future the coming of Antichrist, the end of the world, and the Day of Judgment. In the deplorable condition of society, torn with unceasing and sav-

* Pelayo, Heterodoxos Españoles I. 405 (Madrid, 1880).—Petri Venerab. Opp. pp. 650 sqq. (Ed. Migne).—F. Francisci Pipini Chron. cap. 16.—Rigord. de Gest. Phil. Aug. ann. 1210.—Concil. Paris. ann. 1210.—Gregor. PP. IX. Bull. *Cum saluten*, 29 Apr. 1231.—S. Bernardi de Consideratione Lib. i. cap. 4.

For the adoration paid to Aristotle by the schoolmen of the twelfth century see John of Salisbury's Metalogicus Lib. ii. c. 16.

age neighborhood-war and ground under the iron heel of feudalism, the common man might indeed well imagine that the reign of Antichrist was ever imminent, or might welcome any change which possibly might benefit, and scarce could injure, his condition. The invisible world, moreover, with its mysterious attraction and horrible fascination, was ever present and real to every one. Demons were always around him, to smite him with sickness, to ruin his pitiful little cornfield or vineyard, or to lure his soul to perdition; while angels and saints were similarly ready to help him, to listen to his invocations, and to intercede for him at the throne of mercy, which he dared not to address directly. It was among a population thus impressionable, emotional, and superstitious, slowly awakening in the intellectual dawn, that orthodoxy and heterodoxy—the forces of conservatism and progress—were to fight the battle in which neither could win permanent victory.

It is a noteworthy fact, presaging the new form which modern civilization and enlightenment were to assume, that the heresies which were to shake the Church to its foundations were no longer, as of old, mere speculative subtleties propounded by learned theologians and prelates in the gradual evolution of Christian doctrine. We have not to deal with men like Arius or Priscillian, or Nestorius or Eutyches, scholars and prelates who filled the Church with the disputatious wrangles of their learning. Hierarchical organization was too perfect, and theological dogma too thoroughly petrified, to admit of this; and the occasional deviations, real or assumed, of the schoolmen from orthodoxy, as in the case of Berenger of Tours, of Abelard, of Gilbert de la Porée, of Peter Lombard, of Folkmar von Trieffenstein, were readily suppressed by the machinery of the establishment. Nor have we, for the most part, to deal with the governing classes, for the alliance between Church and State to keep the people in subjection had been handed down from the Roman Empire, and however much monarchs like John of England or Frederic II. had to complain of ecclesiastical pretensions, they never dared to loosen the foundations on which rested their own prerogatives. As a rule, heresy had to be thoroughly disseminated among the people before those of gentle blood would meddle with it, as we shall see in Languedoc and Lombardy. The blows which brought real danger to the hierarchy came from ob-

scure men, laboring among the poor and oppressed, who, in their misery and degradation, felt that the Church had failed in its mission, whether through the worldliness of its ministers or through defects in its doctrine. Among these lost sheep of Israel, like the Goim, whom, neglected and despised by the rabbis, it was Christ's mission to bring into the fold, they found ready and eager listeners, and the heresies which they taught divide themselves naturally into two classes. On the one hand we have sectaries holding fast to all the essentials of Christianity, with antisacerdotalism as their mainspring, and on the other hand we have Manichæans.

In briefly reviewing these and their vicissitudes, it must be borne in mind that, with scarce an exception, the authorities are exclusively their antagonists and persecutors. Saving a few Waldensian tracts and a single Catharan ritual, their literature has wholly perished. We are left, for the most part, to gather their doctrines from those who wrote to confute them or to excite popular odium against them, and we can only learn their struggles and their fate from their ruthless exterminators. I shall say no word in their praise that is not based upon the admissions or accusations of their enemies; and if I reject some of the abuse lavished upon them, it is because that abuse is so manifestly conscious or unconscious exaggeration that it is deprived of all historical value. In general, the *prima facie* case may be assumed to be in favor of those who were ready to endure persecution and face death for the sake of what they believed to be truth; nor, in the existing corruption of the Church, can it be imagined, as the orthodox controversialists assumed, that any one would place himself outside of the pale for the purpose of more freely indulging disorderly appetites.

The fact is, as we have seen, that the highest authorities in the Church admitted that its scandals were the cause, if not the justification, of heresy. An inquisitor who was actively engaged in its suppression enumerates among the efficient agents in its dissemination the depraved lives of the clergy, their ignorance, leading to the preaching of false and frivolous things, their irreverence for the sacraments, and the hatred commonly entertained for them. Another informs us that the leading arguments of the heretics were drawn from the pride, the avarice, and the unclean lives of clerks and prelates. All this, according to Lucas, Bishop of Tuy, who laboriously confuted heterodoxy, was exaggerated by false

stories of miracles skilfully directed against the observances of the Church and the weaknesses of its ministers; but if so this was a work of surplusage, for nothing that the heretics could invent was likely to be more appalling than the reality as stated by the most resolute champions of the Church. Not many controversialists, indeed, were capable of the frank assurance of the learned author of the tract which passes under the name of Peter of Pilichdorf, in answering the arguments of the heretics, that the Catholic priests were fornicators and usurers and drunkards and dicers and forgers, by boldly saying, "What then? They are none the less priests, and the worst of men who is a priest is worthier than the most holy layman. Was not Judas Iscariot, on account of his apostleship, worthier than Nathaniel, though less holy?" The Troubadour Inquisitor Isarn only uttered a truth generally recognized when he said that no believer would be misled into Catharism or Waldensianism if he had a good pastor:

> "Ja no fara crezens heretje ni baudes
> Si agues bon pastor que lur contradisses." *

The antisacerdotal heresies were directed against the abuses in doctrine and practice which priestcraft had invented to enslave the souls of men. One feature common to them all was a revival of the Donatist tenet that the sacraments are polluted in polluted hands, so that a priest living in mortal sin is incapable of administering them. In the existing condition of ecclesiastical morals this was destructive to the functions of nearly the whole body of the priesthood, and its readiness as a means of attack had been facilitated by the policy of the Holy See in its efforts to suppress clerical marriage and concubinage. In 1059 the Synod of Rome, under the impulsion of Nicholas II., had adopted a canon forbidding any one to be present at the mass of a priest known to keep a concubine or wife. This was inviting the flock to sit in judgment on the pastor; and though it remained virtually a dead letter for fifteen years, when it was revived and effectually put in

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* Reinerii contra Waldenses cap. 3.—Tractatus de Modo procedendi contra Hæreticos (MSS. Bib. Nat. Coll. Doat XXX. 185 seqq.).—Lucæ Tudensis de Altera Vita Lib. III. cap. 7-10.—P. de Pilichdorf contra Waldenses cap. 16.—Passaviens. Anon. (Preger, Beiträge, pp. 64-67).—Raynouard, Lexique Roman, V. 471.

force by Gregory VII., in 1074, it produced immense confusion, for continent priests were rare exceptions. So violent was the contest excited that, in 1077, at Cambrai, the married or concubinary priesthood actually burned at the stake an unfortunate who resolutely maintained the orthodoxy of the papal rescripts. The orders of Gregory were reiterated by Innocent II. as late as the Council of Reims, in 1131, and in that of Lateran, in 1139, and Gratian embodied the whole series in the canon law, where they still remain. Although Urban II. had endeavored to point out that it was merely a matter of discipline, and that the virtue of the sacraments remained unaltered in the hands of the worst of men, still it was difficult for the popular mind to recognize so subtle a distinction. A learned theologian like Geroch of Reichersperg might safely declare that he paid no more attention to the masses of concubinary priests than if they were those of so many pagans, and yet be unimpeached in his orthodoxy, but to minds less robust in faith the question presented insoluble difficulties. Albero, a priest of Mercke, near Cologne, shortly afterwards, when he taught that the consecration of the host was imperfect in sinful hands, was forced, by the unanimous testimony of the Fathers, to recant; but he adopted the theory that such sacraments were profitable to those who took them in ignorance of the wickedness of the celebrant, while they were useless to the dead and to those who were cognizant of the sin. This was likewise heretical, and Albero's offer to prove its orthodoxy by undergoing the ordeal of fire was rejected on the logical ground that sorcery might thus enable false doctrine to triumph. The question continued to plague the Church until, about 1230, Gregory IX. abandoned the position of his predecessors, and undertook to settle it by an authoritative decision that every priest in mortal sin is suspended, as far as concerns himself, until he repents and is absolved, yet his offices are not to be avoided, because he is not suspended as regards others, unless the sin is notorious by judicial confession or sentence, or by evidence so clear that no tergiversation is possible. To the Church it was, of course, impossible to admit that the virtue of the sacrament depended upon the virtue of the ministrant, but these fine-drawn distinctions show how the question troubled the minds of the faithful, and how readily the heresy could suggest itself that transubstantiation might fail in the hands of the wicked. In fact,

even without the suggestive commands of Gregory and Innocent, to a thoughtful and pious mind there was a grievous incompatibility between the awful powers vested by the Church in her ministers and the flagitious lives which disgraced so many of them. That the error should be stubborn was unavoidable. As late as 1396 it was taught by Jean de Varennes, a priest of the Remois, who was forced to recant, and in 1458 we find Alonso de Spina declaring it to be common to the Waldenses, the Wickliffites, and the Hussites.*

One or two of the earlier antisacerdotal heresies may be mentioned which were local and temporary in their character, but which yet have interest as showing how ready were the lower ranks of the people to rise in revolt against the Church, and how contagious was the enthusiasm excited by any leader bold enough to voice the general feeling of unrest and discontent. About 1108, in the Zeeland Isles, there appeared a preacher named Tanchelm, who seems to have been an apostate monk, subtle and skilled in disputation. He taught the nullity of all hierarchical dignities, from pope to simple clerk, that the Eucharist was polluted in unworthy hands, and that tithes were not to be paid. The people listened eagerly, and after filling all Flanders with his heresy, he found in Antwerp an appropriate centre of influence. Although that city was already populous and wealthy through commerce, it had but a single priest, and he, involved in an incestuous union with a near relative, had neither leisure nor inclination for his duties. A people thus destitute of orthodox instruction fell an easy prey to the tempter and eagerly followed him, reverencing him to that degree that the water in which he bathed was distributed and preserved as a relic. He readily raised a force of three thousand fighting men, with which he dominated the land,

* Concil. Roman. ann. 1059, can. 3.—Lambert. Hersfeld. ann. 1074.—Gregor. PP. VII. Epist. Extrav. 4; Regist. Lib. IV. Ep. 20.—Concil. Remens. ann. 1131, c. 5.—Concil. Lateran. II. ann. 1139, c. 7.—c. 5, 6, Decret. I. xxxii.; c. 15; I. lxxxi.—Gerhohi Dial. de Different. Cleri. Cf. Ejusd. Lib. contr. duas Hæreses c. 3, 6; Dialogus de Clericis Sæcul. et Regular.—Anon. Libell. adv. Errores Alberonis (Martene Ampliss. Collect. IX. 1251-1270).—Can. 10 Extra Lib. III. tit. ii.—D'Argentré, Collect. Judic. de novis Erroribus, I. ii. 154.—Fortalicium Fidei, fol. 62 *b* (Ed. 1494). The importance of the question in the twelfth century is shown by the number of canons devoted to it by Gratian.

nor was there duke or bishop who dared withstand him. The stories that he pretended to be God and the equal of Jesus Christ, and that he celebrated his marriage with the Virgin Mary, may safely be rejected as the embroideries of frightened clerks; nor could Tanchelm have really considered himself as a heretic, for we find him visiting Rome with a few followers for the purpose of obtaining a division of the extensive see of Utrecht and the allotment of a portion of it to the episcopate of Terouane. On his return from Rome, in 1112, while passing through Cologne, he and his retinue were thrown in prison by the archbishop, who the next year summoned a synod to sit in judgment on them. Several of them purged themselves by the water-ordeal, while others succeeded in escaping by flight. Of these, three were burned at Bonn, preferring a frightful death to abandoning their faith, while Tanchelm himself reached Bruges in safety. The anathema which had been pronounced against him, however, had impaired his credit, and the clergy of Bruges had little difficulty in procuring his ejectment. Yet Antwerp remained faithful, and he continued his missionary career until 1115, when, being in a boat with but few followers, a zealous priest piously knocked him on the head, and his soul went to rejoin its master, Satan. Even this did not suppress the effect of his teaching and his heresy continued to flourish. In vain the bishop gave twelve assistants to the lonely priest of St. Michael's in Antwerp; it was not until 1126, when St. Norbert, the ardent ascetic who founded the Premonstratensian order, was placed in charge of the city with his followers, and undertook to evangelize it with his burning eloquence, that the people could be brought back to the faith. St. Norbert built other churches and filled them with disciples zealous as himself, and the stubborn heretics were docile enough to pastors who taught by example as well as by words their sympathy for those who had so long been neglected. Consecrated hosts which had lain hidden for fifteen years in chinks and corners were brought forth by pious souls, and the heresy vanished without leaving a trace.*

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* Hartzheim Concil. German. III. 763-766.—Meyeri Annal. Flandriæ Lib. IV. ann. 1113-1115.—Sigeberti Gemblacens. Contin. Valcellens. ann. 1115.—P. Abælardi Introd. ad Theolog. Lib. II. cap. 4.—Trithem. Chron. Hirsaug. ann. 1127.—Vit. S. Norbert. Archiep. Magdeburg. cap. iii. No. 79, 80.

Somewhat similar was the heresy propagated not long afterwards in Brittany by Éon de l'Étoile, except that in this case the heresiarch was unquestionably insane. Sprung from a noble family, he had gained a reputation for sanctity by the life of a hermit in the wilderness, when, from the words of the collect, "per *eum* qui venturus est judicare vivos et mortuos," he conceived the idea that he was the Son of God. It was not difficult to find sharers in this belief who adored him as the Deity incarnate, and he soon had a numerous band of followers, with whose aid he pillaged the churches of their ill-used treasures, and distributed them to the poor. The heresy became sufficiently formidable to induce the legate, Cardinal Alberic of Ostia, to preach against it at Nantes in 1145, and Hugues, Archbishop of Rouen, to combat it with dreary polemics; but the most convincing argument used was the soldiery despatched against the heretics, many of whom were captured and burned at Alet, refusing obstinately to recant. Éon retired to Aquitaine for a season, but in 1148 he ventured to appear in Champagne, where he was seized with his followers by Samson, Archbishop of Reims, and brought before Eugenius III. at the Council of Rouen. Here his insanity was so manifest that he was charitably consigned to the care of Suger, Abbot of St. Denis, where he soon after died, but many of his disciples were stubborn, and preferred the stake to recantation.*

More durable and more formidable were the heresies which about the same time took stubborn root in the south of France, where the condition of society was especially favorable for their propagation. There the population and civilization were wholly different from those of the north. The first wave of the Aryan invasion of Europe had driven to the Mediterranean littoral the ancient Ligurian inhabitants, who had left abundant traces of their race in the swarthy skins and black hair of their descendants. Greek and Phœnician colonies had still further crossed the blood. Gothic domination had been long continued, and the Merovingian conquest had scarce given to the Frank a foothold in the soil.

* Sigibert. Gemblac. Continuat. Gemblac. ann. 1146. — Ejusd. Continuat. Præmonstrat. ann. 1148.—Roberti de Monte Chron. ann. 1148.—Guilliel. de Newburg. Lib. I. cap. 19.—Otton. Frising. de Gest. Frid. I. Lib. I. cap. 54, 55.—Hugon. Rothomag. contr. Hæret. Lib. III. cap. 6.—Schmidt, Histoire des Cathares, I. 49.

Even Saracenic elements were not wanting to make up the strange admixture of races which rendered the citizen of Narbonne or Marseilles so different a being from the inhabitant of Paris—quite as different as the Langue d'Oc from the Langue d'Oyl. The feudal tie which bound the Count of Toulouse, or the Marquis of Provence, or the Duke of Aquitaine to the King of Paris or the Emperor was but feeble, and when the last named fief was carried by Eleanor to Henry II., the rival pretensions of England and France preserved the virtual independence of the great feudatories of the South, leading to antagonisms of which we shall see the full fruits in the Albigensian crusades.

The contrast of civilization was as marked as that of race. Nowhere in Europe had culture and luxury made such progress as in the south of France. Chivalry and poetry were assiduously cultivated by the nobles; and, even in the cities, which had acquired for themselves a large measure of freedom, and which were enriched by trade and commerce, the citizens boasted a degree of education and enlightenment unknown elsewhere. Nowhere in Europe, moreover, were the clergy more negligent of their duties or more despised by the people. There was little earnestness of religious conviction among either prelates or nobles to stimulate persecution, so that there was considerable freedom of belief. In no other Christian land did the despised Jew enjoy such privileges. His right to hold land in *franc-alleu* was similar to that of the Christian; he was admitted to public office, and his administrative ability rendered him a favorite in such capacity with both prelate and noble; his synagogues were undisturbed; and the Hebrew school of Narbonne was renowned in Israel as the home of the Kimchis. Under such influences, those who really possessed religious convictions were but little deterred by prejudice or the fear of persecution from criticising the shortcomings of the Church, or from seeking what might more nearly respond to their aspirations.*

* Saige, Les Juifs du Languedoc. P. I. ch. ii.; P. II. ch. ii. (Paris, 1881). The same causes were at work in Spain, where the faithful complained that they were not allowed to persecute the Jew (Lucæ Tudens. de altera Vita Lib. III. cap. 3), and missionary work among the slaves of Jews was rendered costly by forcing the bishop of the diocese to pay to the master an extortionate price for every slave converted to Christianity and thus set free, for Jews could not hold Chris-

It was in such a population as this that the first antisacerdotal heresy was preached in Vallonise about 1106, by Pierre de Bruys, a native of the diocese of Embrun. The prelates of Embrun, Gap, and Die endeavored in vain to stay his progress until they procured assistance from the king, when he was driven out and took refuge in Gascony. For twenty years he continued his mission, and the openness and success with which he taught is shown by the story that in one place, to show his contempt for the objects of sacerdotal veneration, he caused a great pile of consecrated crosses to be accumulated, and then, setting fire to them, deliberately roasted meat at the flames. Persecution at length became more active, and about the year 1126 he was seized and burned at St. Gilles.

His teaching was simply antisacerdotal—to some extent a revival of the errors of Claudius of Turin. Pædo-baptism was useless, for the faith of another cannot help him who cannot use his own—a far-reaching proposition, fraught with immeasurable consequences. For the same reason offerings, alms, masses, prayers and other good works for the dead are useless and each will be judged on his own merits. Churches are unnecessary and should be destroyed, for holy places are not wanted for Christian prayer, since God listens to those who deserve it, whether invoked in church or tavern, in temple or market-place, before the altar or before the stable; and the Church of God does not consist of a multitude of stones piled together, but in the united congregation of the faithful. As for the cross, as a senseless thing it is not to be invoked with foolish prayers, but is rather to be destroyed as the instrument on which Christ was cruelly tortured to death. His most serious error, however, was his rejection of the Eucharist. Transubstantiation had not yet had time to become immovably fixed in the perceptions of all men, and Pierre de Bruys went even further than Berenger of Tours. His only recorded utterance is his vigorous rejection of the sacrament: "O people, believe not the bishops, the priests, and the clerks, who, as in much else, seek to deceive you as to the office

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tian slaves. They were also relieved from the oppressive tax of the tithe (Innocent. III. Regest. VIII. 50; IX. 150). Even until late in the thirteenth century we find Jews freely holding real estate in Languedoc. See MSS. Bib. Nat. Coll. Doat. T. XXXVII. fol. 20, 146, 148, 149, 151, 152.

For the independence of the communes, see Fauriel's edition of William of Tudela, Introd. pp. lv. sq., and Mazure et Hatoulet, Fors de Béarn, p. xliii.

of the altar, where they lyingly pretend to make the body of Christ and give it to you for the salvation of your souls. They plainly lie, for the body of Christ was but once made by Christ in the supper before the Passion, and but once given to the disciples. Since then it has been never made and never given." *

There was evidently nothing to do with such a man but to burn him, but even this did not suffice to suppress his heresy. The Petrobrusians continued to diffuse his doctrines, secretly or openly, and, some five or six years after his death, Peter the Venerable of Cluny considered them still so formidable as to require his controversial tract, to which we are indebted for almost all we know about the sect. This is dedicated to the bishops of Embrun, Arles, Die, and Gap, and urges them to renewed efforts for the suppression of the heresy by preaching and by the arms of the laity.

All their efforts might well be needed, for Peter was succeeded by a yet more formidable heresiarch. Little is known of the earlier life of Henry, the Monk of Lausanne, except that he left his convent there under circumstances for which St. Bernard afterwards reproached him, but which may well have been but the first ebullition of the reformatory spirit to which he finally fell a victim. We next hear of him at Le Mans, perhaps as early as 1116, but the dates are uncertain. Here his austerities gained him the veneration of the people, which he turned with disastrous effect upon the clergy. We know little of his doctrines at this time, except that he rejected the invocation of saints, but we are told that his eloquence was so persuasive that under its influence women abandoned their jewels and sumptuous apparel, and young men married courtesans to reclaim them. While thus teaching asceticism and charity, he so lashed the vices of the Church that the clergy throughout the diocese would have been destroyed but for the active protection of the nobles. Henry had taken advantage of the absence in Rome of the bishop, the celebrated Hildebert of Le Mans, who, on his return, overcame the heretic in disputation and forced him to abandon the field, but could not punish him. We have glimpses of his activity in Poitiers and Bordeaux, and then lose sight of him till we

* Jonæ. Aurelians. de Cultu Imaginum.—Petri Venerab. Tract. contra Petrobrusianos.—P. Abælardi Introd. ad Theolog. Lib. II. cap. 4.—Alphonsi a Castro adv. Hæreses Lib. III. p. 168 (Ed. 1571).—Fisquet, La France Pontificale, Embrun, p. 848.

find him a prisoner of the Archbishop of Arles, who took him to the presence of Innocent II. at the Council of Pisa, in 1134. Here he was convicted of heresy and condemned to imprisonment, but was subsequently released and sent back to his convent, whence he departed with the intention of entering the strict Cistercian order at Clairvaux. What led to his resuming his heretical mission we do not know, but we meet him again, bolder than before, adopting substantially the Petrobrusian tenets, rejecting the Eucharist, refusing all reverence for the priesthood, all tithes, oblations, and other sources of ecclesiastical revenue, and all attendance at church.

The scene of this activity was southern France, where the embers of Petrobrusianism were ready to be kindled into flame. His success was immense. In 1147 St. Bernard despairingly describes the condition of religion in the extensive territories of the Count of Toulouse: "The churches are without people, the people without priests, the priests without the reverence due them, and Christians without Christ. The churches are regarded as synagogues, the sanctuary of the Lord is no longer holy; the sacraments are no more held sacred; feast days are without solemnities; men die in their sins, and their souls are hurried to the dread tribunal, neither reconciled by penance nor fortified by the holy communion. The little ones of Christ are debarred from life since baptism is denied them. The voice of a single heretic silences all those apostolic and prophetic voices which have united in calling all the nations into the Church of Christ." The prelates of southern France were powerless to arrest the progress of the bold heresiarch, and imploringly appealed for assistance. The nobles would not aid them, for, like the people, they hated the clergy and were glad of the excuses which Henry's doctrines gave them for spoiling and oppressing the Church. The papal legate, Alberic, was summoned, and he prevailed upon St. Bernard to accompany him with Geoffrey, Bishop of Chartres, and other men of mark. Though St. Bernard was sick, the perilous condition of the tottering establishment aroused all his zeal, and he unflinchingly undertook the mission. What was the condition of popular feeling and how boldly it dared to express itself may be gathered from the reception of the legate at Albi, where the people went forth to meet him with asses and drums in sign of derision, and when they were convoked to be present at his celebration of mass scarcely thirty attended.

If we may believe the accounts of his disciples, the success of Bernard was immense. His reputation had preceded him, and it was heightened by the stories of miracles which he daily performed, no less than by his burning eloquence and skill in disputation. Crowds flocked to hear him preach, and were converted. At Albi, two days after the miserable failure of the legate, St. Bernard arrived, and the cathedral was scarcely able to hold the multitude which assembled to listen to him. On the conclusion of his discourse he adjured them: "Repent, then, all ye who have been contaminated. Return to the Church; and that we may know who repents, let each penitent raise his right hand"—and every hand was raised. Scarce less effective was his rejoinder when, after preaching to an immense assemblage, he mounted his horse to depart and a hardened heretic, thinking to confuse him, said, "My lord abbot, our heretic, of whom you think so ill, has not a horse so fat and spirited as yours." "Friend," replied the saint, "I deny it not. The horse eats and grows fat for itself, for it is but a brute and by nature given to its appetites, whereby it offends not God. But before the judgment seat of God I and your master will not be judged by horse's necks, but each by his own neck. Now, then, look at my neck and see if it is fatter than your master's, and if you can justly reprehend me." Then he threw down his cowl and displayed his neck, long and thin and wasted by maceration and austerities, to the confusion of the misbelievers. If he failed to make converts at Verfeil, where a hundred knights refused to listen to him, he at least had the satisfaction of cursing them, which we are assured caused them all to perish miserably.

St. Bernard challenged Henry to a disputation, which the prudent heretic declined, whether through fear of his antagonist's eloquence or a reasonable regard for the safety of his own person. It mattered little which, for his refusal discredited him in the eyes of many of the nobles who had hitherto protected him, and thenceforth he was obliged to lie in hiding. Orthodoxy took heart and was soon on his track: he was captured the next year and brought in chains before his bishop. His end is not known, but he is presumed to have died in prison.*

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* S. Bernardi Epistt. 241, 242.—Gesta Pontif. Cenomanens. (D. Bouquet T. XII. pp. 547-551, 554).—Hildebert. Cenoman. Epistt. 23, 24.—S. Bernardi Vit. Prim.

We hear no more of the Henricians as a definite sect, though in 1151 a young girl, miraculously inspired by the Virgin Mary, is said to have converted many of them, and they probably continued to exist throughout Languedoc, furnishing material in the next generation for the spread of the Waldenses. We have scanty indications, however, in widely separated places, of the existence of sectaries probably Henrician, showing how, in spite of persecution, the antisacerdotal spirit continued to manifest itself. Contemporary with St. Bernard's mission to Languedoc is a letter addressed to him by Evervin, Provost of Steinfeld, imploring his aid against heretics recently discovered at Cologne—some Manichæans and others, evidently Henricians, who had betrayed themselves by their mutual quarrels. These Henricians boasted that their sect was numerously scattered throughout all the lands of Christendom, and their zeal is shown by an allusion to those among their number who perished at the stake. Probably Henrician, too, were heretics who infested Perigord under a teacher named Pons, whose austerities and external holiness drew to them numerous adherents, including nobles and priests, monks and nuns. Besides the antisacerdotal tenets described above, these enthusiasts anticipated St. Francis in proclaiming poverty to be essential to salvation and in refusing to receive money. The impression which they produced upon a worldly generation is shown by the marvellous legends which grew around them. They courted persecution and sought for persecutors who should slay them, yet they could not be punished, for their master, Satan, liberated them from chains and prison. Thus if one should be fettered hand and foot and placed under an inverted hogshead watched by guards, he would disappear until it pleased him to return. We know nothing as to the fate of Pons and his disciples, but their numbers and activity were a manifestation of the pervading disquiet and yearning for a change.*

Arnald of Brescia's heresy was much more limited in its scope. A pupil of Abelard, he was accused of sharing his master's errors,

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Lib. III. cap. 6; Lib. VII. p. iii. ad calcem; Lib. VII. cap. 17.—Guill. de Podio-Laurent. cap. 1.—Alberic. Trium Font. Chron. ann. 1148.

* Matt. Paris. Hist. Angl. ann. 1151.—S. Bernardi Epist. 472.—Hereberti Monachi Epist. (D. Bouquet. XII. 550–551).

and incorrect notions respecting pædo-baptism and the Eucharist were attributed to him. Whatever may have been his theological aberrations, his real offence was the energetic way in which he lashed the vices of the clergy and stimulated the laity to repossess the ample wealth and extended privileges which the Church had acquired. Profoundly convinced that the evils of Christendom arose from the worldliness of the ecclesiastical body, he taught that the Church should hold neither temporal possessions nor jurisdiction, and should confine itself rigidly to its spiritual functions. Of austere and commanding virtue, irreproachable in his self-denying life, trained in all the learning of the schools, and gifted with rare persuasive eloquence, he became the terror of the hierarchy, and found the laity ready enough to listen and to act upon doctrines which satisfied their worldly aspirations as well as their spiritual longings. The second Lateran Council, in 1139, endeavored to suppress the revolt which he excited in the Lombard cities by condemning and imposing silence on him; he refused obedience, and the next year Innocent II., in approving the proceedings of the Council of Sens, included him in the condemnation of Abelard, and ordered both to be imprisoned and their writings burned. Arnald had fled from Italy to France, and now he was driven to Germany, where we find his restless activity at work in Constance and then in Torgau, pursued by the sleepless watchfulness of St. Bernard. According to the latter, his conquests over souls in Switzerland were rapid, for his teeth were arms and arrows, and his tongue was a sharp sword. After the death of Innocent II. he returned to Rome, where he seems to have been reconciled to Eugenius III. in 1145 or 1146. The new pope, speedily wearied with the turbulence of the city which had exhausted his predecessors, abandoned it and finally sought refuge in France. Arnald was not idle in these movements, and was generally held responsible for them. Vain were the remonstrances of St. Bernard to the Roman commonalty, and equally vain his appeals to the Emperor Conrad to restore the papal power by force. At the same time Conrad treated with disdain envoys sent by the Roman republic, protesting that their object was to restore the imperial supremacy as it had existed under the Cæsars, and inviting him to come and assume the empire of Italy. Eugenius, on his return to Italy, in 1148, issued from Brescia a condemna-

tion of Arnald, directed especially to his supporters among the Roman clergy, who were threatened with deprivation of preferment; but the citizens stood firm, and the pope was only allowed to return to his city on condition of allowing Arnald to remain there. After the death of Conrad III., in 1152, Eugenius III. hastened to win the support of the new King of the Romans, Frederic Barbarossa, by intimating that Arnald and his partisans were conspiring to elect another emperor and make the empire Roman in fact as well as in name. The papal favor seemed necessary to Frederic to secure his coveted coronation and recognition. Blindly overlooking the irreconcilable antagonism between the temporal and spiritual swords, he cast his fortunes with the pope, swore to subdue for him the rebellious city and regain for him the territory of which he had been deprived; while Eugenius, on his side, promised to crown him when he should invade Italy, and to use freely the artillery of excommunication for the abasement of his enemies. The domination of the Roman populace has not been wholly moderate and peaceful. In more than one emeute the palaces of noble and cardinal had been sacked and destroyed and their persons maltreated, and at length, in 1154, in some popular uprising, the cardinal of Santa Pudenziana was slain. Adrian IV., the masterful Englishman who had recently ascended the papal throne, took advantage of the opportunity and set the novel example of laying an interdict on the capital of Christianity until Arnald should be expelled from the city; the fickle populace, dismayed at the deprivation of the sacrament, indispensable to all Christians at the approaching Easter solemnities, were withdrawn from his support, and he retired to the castle of a friendly baron of the Campagna. The next year Frederic reached Rome, after entering into engagements with Adrian which included the sacrifice of Arnald, and he lost no time in performing his share of the bargain. Arnald's protectors were summoned to surrender him, and were obliged to obey. For the cruel ending the Church sought to shirk the responsibility, but there would seem to be no reasonable doubt that he was regularly condemned by a spiritual tribunal as a heretic, for he was in holy orders, and could be tried only by the Church, after which he was handed over to the secular arm for punishment. He was offered pardon if he would recant his erroneous doctrines, but he persistently refused, and passed his last moments in silent

prayer. Whether or not he was mercifully hanged before being reduced to ashes is perhaps doubtful, but those ashes were cast into the Tiber to prevent the people of Rome from preserving them as relics and honoring him as a martyr. It was not long before Frederic had ample cause to repent the loss of an ally who might have saved him from the bitter humiliation of his surrender to Alexander III.*

Though the immediate influence of Arnald of Brescia was evanescent, his career has its importance as a manifestation of the temper with which the more spiritually minded received the encroachments and corruption of the Church. Yet, though he failed in his attempt to revolutionize society, and perished through miscalculating the tremendous forces arrayed against him, his sacrifice was not wholly in vain. His teachings left a deep impress in the minds of the population, and his followers in secret cherished his memory and his principles for centuries. It was not without a full knowledge of the position that the Roman curia scattered his ashes in the Tiber, dreading the effect of the veneration which the people felt for their martyr. Secret associations of Arnaldistas were formed who called themselves "Poor Men," and adopted the tenet that the sacraments could only be administered by virtuous men. In 1184 we find them condemned by Lucius III. at the so-called Council of Verona; about 1190 they are alluded to by Bonaccorsi, and even until the sixteenth century their name occurs in the lists of heresies proscribed in successive bulls and edicts. Yet the complete oblivion into which they fell is seen in the learned glossator Johannes Andreas, who died in 1348, remarking that perhaps the name of the sect may be derived from some one who founded it. When Peter Waldo of Lyons endeavored, in more pacific wise, to carry out the same views, and his followers grew into the "Poor

* S. Bernardi Epistt. 189, 195, 196, 243, 244.—Gualt. Mapes de Nugis Curialium Dist. I. cap. xxiv.—Otton. Frisingens. de Gestis Frid. I. Lib. I. cap. 27; Lib. II. cap. 20.—Harduin. Concil. VI. ii. 1224.—Martene Ampliss. Collect. II. 554–558.—Guntheri Ligurin. Lib. III. 262–348.—Gerhohi Reichersperg. de Investigat. Antichristi I.—Baronii Annal. ann. 1148, No. 38.—Jaffé Regesta, No. 6445.—Vit. Adriani PP. III. (Muratori III. 441, 442).—Sächsische Weltchronik, No. 301.—Cantù, Eretici d'Italia, I. 61–63.—Tocco, L'Eresia nel Medio Evo, pp. 242, 243.—Comba, La Riforma in Italia, I. 193, 194.—Bonghi, Arnaldo da Brescia, Città di Castello, 1885.

Men of Lyons," the Italian brethren were ready to welcome the new reformers and to co-operate with them. Though there were some unimportant points of difference between the two schools, yet their resemblance was so great that they virtually coalesced; they were usually confounded by the Church, and were enveloped in a common anathema. Closely connected with them were the Umiliati, described as wandering laymen who preached and heard confessions, to the great scandal of the priesthood, but who were yet not strictly heretics.*

Far greater in importance and more durable in results was the antisacerdotal movement unconsciously set on foot by Peter Waldo of Lyons, in the second half of the twelfth century. He was a rich merchant, unlearned, but eager to acquire the truths of Scripture, to which end he caused the translation into Romance of the New Testament and a collection of extracts from the Fathers, known as "Sentences." Diligently studying these, he learned them by heart, and arrived at the conviction that nowhere was the apostolic life observed as commanded by Christ. Striving for evangelical perfection, he gave his wife the choice between his real estate and his movables. On her selecting the former, he sold the latter; portioned his two daughters, and placed them in the Abbey of Fontevraud, and distributed the rest of the proceeds among the poor then suffering from a famine. It is related that after this he begged for bread of an acquaintance who promised to support him during his life, and this coming to the ears of his wife, she appealed to the archbishop, who ordered him in future

* Lucii PP. III. Epist. 171.—Bonacursi Vit. Hæreticor. (D'Achery T. I. 214, 215).—Constit. General. Frid. II. ann. 1220 § 5.—Ejusd. Constit. Ravennat. ann. 1232.—Conrad. Urspergens. ann. 1210.—Pauli Æmilii de Rebus. Gest. Fran. Lib. VI. p. 316 (Ed. 1569).—Nicolai PP. III. Bull. *Noverit Universitas*, 5 Mart. 1280.—Julii PP. II. Bull *Consueverunt*, 1 Mart. 1511.—Innocent. PP. III. Regest. II. 228.—Joann. Andreæ Gloss. super cap. Excommunicamus (Eymerici Direct. Inquisit. p. 182). The name of the Poor Men of Lyons was likewise forgotten, for Andreas's only remark with respect to them is that poverty is not a crime in itself.

The differences between the Italian and French Waldenses are set forth in a very interesting letter from the former to the German brethren, subsequently to a conference held at Bergamo in 1218. This was discovered about twelve years ago by Wilhelm Preger in a MS. of the Royal Library of Munich, and is printed in his Beiträge zur Geschichte der Waldesier im Mittelalter, 1875.

to accept food only from her. Devoting himself to preaching the gospel through the streets and by the wayside, admiring imitators of both sexes sprang up around him, whom he despatched as missionaries to the neighboring towns. They entered houses, announcing the gospel to the inmates; they preached in the churches, they discoursed in the public places, and everywhere they found eager listeners, for, as we have seen, the negligence and indolence of the clergy had rendered the function of preaching almost a forgotten duty. According to the fashion of the time, they speedily adopted a peculiar form of dress, including, in imitation of the apostles, a sandal with a kind of plate upon it, whence they acquired the name of the "Shoed," Insabbatati, or Zaptati—though the appellation which they bestowed upon themselves was that of Li Poure de Lyod, or Poor Men of Lyons.*

* Chron. Canon. Laudunens. ann. 1173 (Bouquet XIII. 680).—Steph. de Borboue s. Bellavilla Lib. de Sept. Donis Spiritus, P. IV. Tit. vii. cap. 3 (D'Argentré Coll. Judicior. de Nov. Error. I. i. 85 sqq.).—Richard. Cluniacens. Vit. Alex. PP. III. (Muratori III. 447).—David Augustens. Tract. de Paup. de Lugd. (Martene Thesaur. V. 1778).—Monetæ adv. Cath. et Waldens. Lib. v. cap. 1 § 4.—Pet. Sarnens. cap. 2.—Passavicns. Anon. ap. Gretser (Mag. Bib. Pat. Ed. 1618, T. XIII. p. 300).—Petri de Pilichdorf contr. Hæres. Waldens. cap. 1.—Pegnæ Comment. 39 in Eymerici Direct. Inquis. p. 280.

The pretension of the Waldenses to descend from the primitive Church through the Leonistæ and Claudius of Turin is, I believe, now generally abandoned. See Edouard Moutet, Histoire Litt. des Vaudois, Paris, 1885, pp. 32, 33; Prof. Emilio Comba, in the Rivista Christiana, Giugno, 1882, pp. 200–206, and his Riforma in Italia, I. 233 sqq.—Bernard Gui, in his Practica, P. v. (MSS. Bib. Nat. Coll. Doat, T. XXX. fol. 185 sqq.), following Richard of Cluny and Stephen of Bourbon, places the rise of Peter Waldo about 1170, and the Canon of Laon gives the date of 1173.

The time and place of Peter Waldo's death are unknown. His French disciples affectionately revered his memory and that of his assistant Vivet, to the extent of asserting, as a point of belief, that they were in Paradise with God; the Lombard branch, however, would only prudently admit that they might be saved if they had satisfied God before death; both sides were obstinate, and at the Conference of Bergamo, in 1218, this promised to make a schism (Rescript. Paup. Lombard. 15.—W. Preger, Beiträge zur Geschichte der Waldesier, pp. 58, 59).

Waldensian literature long retained the impress given to it by Waldo of stringing together extracts from the Fathers of the Church. The slavishness with which these were followed is curiously exemplified in an exposition of Canticles analyzed by M. Montet (op. cit. p. 66). The verse "Take us the little

It was not possible that ignorant zeal could thus undertake the office of religious instruction without committing errors which acute theologians could detect. It is not likely, moreover, that it would spare the vices and crimes of the clergy in summoning the faithful to repentance and salvation. Complaint speedily arose of the scandals which the new evangelists disseminated, and the Archbishop of Lyons, Jean aux Bellesmains, summoned them before him, and prohibited them from further preaching. They disobeyed and were excommunicated. Peter Waldo then appealed to the pope (probably Alexander III.), who approved his vow of poverty and authorized him to preach when permitted by the priests —a restriction which was observed for a time and then disregarded. The obstinate Poor Men gradually put forward one dangerous tenet after another, while their attacks upon the clergy became sharper and sharper; yet as late as the year 1179 they came before the Council of Lateran, submitted their version of the Scriptures, and asked for license to preach. Walter Mapes, who was present, ridicules their ignorant simplicity, and chuckles over his own shrewdness in confusing them when he was delegated to examine their theological acquirements, yet he bears emphatic testimony to their holy poverty and zeal in imitating the apostles and following Christ. Again they applied to Rome for authority to found an order of preachers, but Lucius III. objected to their sandals, to their monkish copes, and to the companionship of men and women in their wandering life. Finding them obstinate, he finally anathematized them at the Council of Verona in 1184, but they still refused to abandon their mission, or even to consider themselves as separated from the Church. Though again condemned in a council held at Narbonne, they agreed, about 1190, to take the chances of a disputation held in the Cathedral of Narbonne, with Raymond of Daventry, a religious and God-fearing Catholic, as judge. Of

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foxes, the little foxes that spoil the vines" (Cant. ii. 15) in mediæval exegesis was traditionally explained by the ravages of heretics in the Church. In the papal bulls urging the Inquisition to redoubled activity the heretics are habitually alluded to as the foxes which ravage the vineyard of the Lord. If any originality could be looked for in Waldensian exposition, we might expect it in this passage, and yet Angelomus, Bruno, and Bernard are duly quoted by the Waldensian teacher to show that the foxes are heretics and the vines are the Church.

course the decision went against them, and of course they were as little inclined as before to submit, but the colloquy has an interest as showing what progress at that period they had made in dissidence from Rome. The six points on which the argument was held were, 1st. That they refused obedience to the authority of pope and prelate; 2d. That all, even laymen, can preach; 3d. That, according to the apostles, God is to be obeyed rather than man; 4th. That women may preach; 5th. That masses, prayers, and alms for the dead are of no avail, with the addition that some of them denied the existence of purgatory; and 6th. That prayer in bed, or in a chamber, or in a stable, is as efficacious as in a church.* All this was rebellion against sacerdotalism rather than actual heresy; but we learn, about the same period, from the "Universal Doctor," Alain de l'Isle, who, at the request of Lucius III., wrote a tract for their refutation, that they were prepared to carry these principles to their legitimate but dangerous conclusions, and that they added various other doctrines at variance with the teachings of the Church.

Good prelates, they held, who led apostolic lives, were to be obeyed, and to them alone was granted the power to bind and loose—which was striking a mortal blow at the whole organization of the Church. Merit, and not ordination, conferred the power to consecrate and bless, to bind and to loose; every one, therefore, who led an apostolic life had this power, and as they assumed that they all led such a life, it followed that they, although laymen, could execute all the functions of the priesthood. It likewise followed that the ministrations of sinful priests were invalid, though at first the French Waldenses were not willing to admit this, while the Italians boldly affirmed it. A further error was, that confession to a layman was as efficacious as to a priest, which was a serious attack upon the sacrament of penitence; though, as yet, the Fourth Council of Lateran had not made priestly confession indispensable, and Alain is willing to admit that in the absence of a priest, confession to a layman is sufficient. The sys-

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* Chron. Canon. Laudunens. ann. 1177, 1178 (Bouquet XIII. 682).—Stephani de Borbone l. c.—Richard. Cluniac. l. c.—David Augustens. l. c.—Monetæ l. c.—Gualt. Mapes de Nugis Curialium Dist. r. cap. xxxi.—Lucii PP. III. Epist. 171.—Conrad. Ursperg. ann. 1210—Bernardi Fontis Calidi adv. Waldenses Liber.

tem of indulgences was another of the sacerdotal devices which they rejected; and they added three specific rules of morality which became distinctive characteristics of the sect. Every lie is a mortal sin; every oath, even in a court of justice, is unlawful; and homicide is under no circumstances to be permitted, whether in war or in execution of judicial sentences. This necessarily involved non-resistance, rendering the Waldenses dangerous only from such moral influence as they could acquire. Even as late as 1217, a well-informed contemporary assures us that the four chief errors of the Waldenses were, their wearing sandals after the fashion of the apostles, their prohibition of oaths and of homicide, and their assertion that any member of the sect, if he wore sandals, could in case of necessity consecrate the Eucharist.*

All this was a simple-hearted endeavor to obey the commands of Christ and make the gospel an actual standard for the conduct of daily life; but these principles, if universally adopted, would have reduced the Church to a condition of apostolic poverty, and would have swept away much of the distinction between priest and layman. Besides, the sectaries were inspired with the true missionary spirit; their proselyting zeal knew no bounds; they wandered from land to land promulgating their doctrines, and finding everywhere a cordial response, especially among the lower classes, who were ready enough to embrace a dogma that promised to release them from the vices and oppression of the clergy. We are told that one of their chief apostles carried with him various disguises, appearing now as a cobbler, then as a barber, and again as a peasant, and though this may have been, as alleged, for the purpose of eluding capture, it shows the social stratum

* Alani de Insulis contra Hæreticos Lib. II.—Disputat. inter Cathol. et Paterin. (Martene Thesaur. V. 1754).—Rescript. Pauperum Lombard. 21, 22 (W. Preger, Beiträge, pp. 60, 61).—Eymerici Direct. Inquis. p. ii. q. 14. (pp. 278, 279).—Petri Sarnaii Hist. Albigens. cap. 2.—In 1321, a man and wife brought before the Inquisition of Toulouse both refused to swear, and they alleged as a reason, in addition to the sinful nature of the oath, the man that it would subject him to falling sickness, the woman that she would have an abortion (Lib. Sententt. Inq. Tolosan. Ed. Limborch, p. 289).

In the persecution of the Waldenses of Piedmont towards the close of the fourteenth century, one of the crucial questions of the inquisitors was as to belief in the validity of the sacraments of sinful priests.—Processus contra Valdenses (Archivio Storico Italiano, 1865, No. 39, p. 48).

to which their missions were addressed. The Poor Men of Lyons multiplied with incredible rapidity throughout Europe; the Church became seriously alarmed, and not without reason, for an ancient document of the sectaries shows a tradition among them that under Waldo, or immediately afterwards, their councils had an average attendance of about seven hundred members present. Not long after the Colloquy of Narbonne, in 1194, the note of persecution was sounded by Alonso II. of Aragon, in an edict which is worthy of note as the first secular legislation, with the exception of the Assizes of Clarendon, in the modern world against heresy. The Waldenses and all other heretics anathematized by the Church are ordered, as public enemies, to quit his dominions by the day after All-Saints'. Any one who receives them on his lands, listens to their preaching, or gives them food shall incur the penalties of treason, with confiscation of all his goods and possessions. The decree is to be published by all pastors on Sundays, and all public officials are ordered to enforce it. Any heretic remaining after three days' notice of the law can be despoiled by any one, and any injury inflicted on him, short of death or mutilation, so far from being an offence, shall be regarded as meriting the royal favor. The ferocious atrocity of these provisions, which rendered the heretic an outlaw, which condemned him in advance, and which exposed him without a trial to the cupidity or malice of every man, was exceeded three years later by Alonso's son, Pedro II. In a national council of Girona, in 1197, he renewed his father's legislation, adding the penalty of the stake for the heretic. If any noble failed to eject these enemies of the Church, the officials and people of the diocese were ordered to proceed to his castle and seize them without responsibility for any damages committed, and any one failing to join in the foray was subjected to the heavy fine of twenty pieces of gold to the royal fisc. Moreover, all officials were commanded, within eight days after summons, to present themselves before their bishop, or his representative, and take an oath to enforce the law.*

The character of this legislation reveals the spirit in which

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* Rivista Cristiana, Marzo, 1887, p. 92.—Pegna Comment. 39 in Eymerici Director. p. 281.—Steph. de Borbone l. c.—Concil. Gerundens. ann. 1197 (Aguirre, V. 102, 103).

Church and State were prepared to deal with the intellectual and spiritual movement of the time. Harmless as the Waldenses might seem to be, they were recognized as most dangerous enemies, to be mercilessly persecuted. In southern France they were devoted to common destruction with the Albigenses, though the distinction between the sects was clearly recognized. The documents of the Inquisition constantly refer to "heresy and Waldensianism," designating Catharism by the former term as the heresy *par excellence*. The Waldenses themselves regarded the Cathari as heretics to be combated intellectually, though the persecution which they shared forced them to associate freely together.*

In a sect so widely scattered, from Aragon to Bohemia, consisting mostly of poor and simple folk, hiding their belief in the lowlands, or dwelling in separate communities among the mountain fastnesses of the Cottian Alps or of Calabria, it was inevitable that differences of organization and doctrine should arise, and that there should be variations in the rapidity of independent development. The labors of Dieckhoff, Herzog, and especially of Montet in recent times, have shown that the early Waldenses were not Protestants in our modern sense, and that, in spite of persecution, many of them long continued to regard themselves as members of the Church of Rome, with a persistence proving how real were the abuses which had forced them to schism, and finally to heresy. Yet, in others, the spirit of revolt ripened much more rapidly, and it is impossible, within our limited space, to present a definite scheme of a doctrine which differed in so many points according to time and circumstance.

In the crucial test of belief in transubstantiation, for instance, as early as the thirteenth century, an experienced inquisitor, in drawing up instructions for the examination of Waldenses, assumes disbelief in the existence of the body and blood in the Eucharist as one of the points whereby to detect them, and in 1332 we hear of such a denial among the Waldenses of Savoy. Yet about this latter date Bernard Gui assures us that they believed in it, and M. Montet has shown from their successive writings how their views on the subject changed. The inquisitor who

* See the Sentences of Pierre Cella in Doat, XXII.—Montet, Hist. Litt. des Vaudois, pp. 116 sq.

burned the Waldenses of Cologne in 1392 tells us that they denied transubstantiation, but they added, that if it occurred it could not be wrought in the hands of a sinful priest. So it was with regard to purgatory—which for a long while was regarded as an open question, to be definitely decided in the negative by the close of the fourteenth century—together with the suffrages of the saints, the invocation of the Virgin, and the other devices of which it was the excuse. The antisacerdotalism in which the sect took its rise, naturally, in its development, tended to do away with all that interposed mediators between God and man, although this progress was by no means uniform. The Waldenses burned in Strassburg, in 1212, rejected all distinction between the laity and the priesthood. In Lombardy, about the same time, the community elected ministers either temporary or for life. Both the French and Lombard Waldenses of this period held that the Eucharist could only be made by an ordained priest, though they differed as to the necessity of his not being in mortal sin. Bernard Gui speaks of three orders among them—deacons, priests, and bishops; M. Montet has found in a MS. of 1404 a form of Waldensian ordination; and when the Unitas Fratrum of Bohemia was organized in 1467, it had recourse, as we shall see hereafter, to the Waldensian Bishop Stephen to consecrate its first bishops. Yet the antisacerdotal tendencies were so strong that the difference between the laity and priesthood was greatly diminished, and the power of the keys was wholly rejected. About 1400, the Nobla Leyczon declares that all the popes, cardinals, bishops, and abbots since the days of Silvester could not pardon a single mortal sin, for God alone has the power of pardon. As the soul thus dealt directly with God, the whole machinery of indulgences and so-called pious works was thrown aside. It is true that faith without works was idle—"*la fe es ociosa sensa las obras*"—but good works were piety, repentance, charity, justice, not pilgrimages and formal exercises, the founding of churches and the honoring of saints.*

* Tract. de Paup. de Lugd. (Martene Thesaur. V. 1792).—Wadding. Annal. Minor. Ann. 1332, No. 6.—Bern. Guidon. Practica P. v. (Doat, XXX.).—Montet Hist. Litt. pp. 38, 44, 45, 89, 142.—Haupt, Zeitschrift für Kirchengeschichte, 1885 p. 551.—Pet. Cœlest. (Preger, Beiträge, pp. 68, 69).—Kaltner, Konrad von Marburg, pp. 69-71.—Rescript. Paup. Lombard. §§ 4, 5, 17, 19, 22, 23.—Nobla Leyczon, 409-413; cf. Montet. pp. 49, 50, 103, 104, 143.—Passaviens. Anon. cap. 5

The Waldensian system thus created a simple church organization with a tendency ever to grow simpler. As a general proposition it may be stated that the distinction between the clergy and laity was reduced to a minimum, especially when transubstantiation was rejected. The layman could hear confessions, baptize, and preach. In some places it was the custom for each head of a family on Holy Thursday to administer communion in a simple fashion, consecrating the elements and distributing them himself. Yet of necessity there was a recognized priesthood, known as the Perfected, or Majorales, who taught the faithful and converted the unbeliever, who renounced all property and separated themselves from their wives, or who had observed strict chastity from youth, who wandered around hearing confessions and making converts, and were supported by the voluntary contributions of those who labored for their bread. The Pomeranian Waldenses believed that every seven years two of these were transported to the gate of Paradise, that they might understand the wisdom of God. One marked distinction between them and the laity was that, when on trial before the Inquisition, the prohibition of swearing was relaxed in favor of the latter, who might take an oath under compulsion, while the Perfects would die rather than violate the precept. The inquisitors, while complaining of the ingenuity with which the heretics evaded their examination, admitted that all were much more solicitous to save their friends and kindred than themselves.*

With this tendency towards a restoration of evangelical simplicity, it followed that the special religious teaching of the Waldenses

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(Mag. Bib. Pat. XIII. 300).—Disput. inter Cath. et Paterin. (Martene Thesaur. V. 1754).—David Augustens. (ibid. p. 1778).—Lucæ Tudens. de altera Vita Lib. I. cap. 4–7.—Tract. de modo procedendi contra Hæret. (Doat XXX.).—Index Error. Waldens. (Mag. Bib. Pat. XIII. 340).—P. de Pilichdorf contra Waldens. cap. 34.—Lib. Sententt. Inq. Tolosan. pp. 200, 201.—Nobla Leyczon, 17–24, 387–405, 416–423.

Yet it was impossible to resist the contagion of superstition. The Pomeranian Waldenses, in 1394, are described as believing that if a man died within a year after confession and absolution, he went directly to heaven. Even speaking with a minister preserved one from damnation for a year. There is even a case of a legacy of eight marks for prayers for the soul of the deceased.—Wattenbach, Sitzungsberichte der Preuss. Akad. 1886, pp. 51, 52.

* Passaviens. Anon. cap. 5.—Bernard. Guidon. Practica P. v.—David Augustens. (Martene Thesaur. V. 1786).—Steph. de Borbone, l. c.—Wattenbach, ubi sup.—Lib. Sententt. Inq. Tolosan. p. 352.

was to a great extent ethical. The reply of an unfortunate before the Inquisition of Toulouse, when questioned as to what his instructors had taught him, was "that he should neither speak nor do evil, that he should do nothing to others that he would not have done to himself, and that he should not lie or swear"—a simple formula enough, but one which practically leaves little to be desired; and a similar statement was made to the Celestinian Peter in his inquisition of the Pomeranian Waldenses in 1394. A persecuted Church is almost inevitably a pure Church, and the men who through those dreary centuries lay in hiding, with the stake ever before their eyes, to spread what they believed to be the unadulterated truths of the gospel in obedience to the commands of Christ, were not likely to contaminate their high and holy mission with vulgar vices. In fact, the unanimous testimony of their persecutors is that their external virtues were worthy of all praise, and the contrast between the purity of their lives and the depravity which pervaded the clergy of the dominant Church is more than once deplored by their antagonists as a most effective factor in the dissemination of heresy. An inquisitor who knew them well describes them: "Heretics are recognizable by their customs and speech, for they are modest and well regulated. They take no pride in their garments, which are neither costly nor vile. They do not engage in trade, to avoid lies and oaths and frauds, but live by their labor as mechanics—their teachers are cobblers. They do not accumulate wealth, but are content with necessaries. They are chaste and temperate in meat and drink. They do not frequent taverns or dances or other vanities. They restrain themselves from anger. They are always at work; they teach and learn and consequently pray but little. They are to be known by their modesty and precision of speech, avoiding scurrility and detraction and light words and lies and oaths. They do not even say *vere* or *certe*, regarding them as oaths." Such is the general testimony, and the tales which were told as to the sexual abominations customary among them may safely be set down as devices to excite popular detestation, grounded possibly on extravagances of asceticism, such as were common among the early Christians, for the Waldenses held that connubial intercourse was only lawful for the procurement of offspring. An inquisitor admits his disbelief as to these stories, for which he had never found a basis worthy of credence, nor does anything of the kind make its appear-

ance in the examinations of the sectaries under the skilful handling of their persecutors, until in the fourteenth and fifteenth centuries the inquisitors of Piedmont and Provence found it expedient to extract such confessions from their victims.*

There was also objected to them the hypocrisy which led them to conceal their belief under assiduous attendance at mass and confession, and punctual observance of orthodox externalities; but this, like the ingenious evasions under examination, which so irritated their inquisitorial critics, may readily be pardoned to those with whom it was the necessity of self-preservation, and who, at least during the earlier period, had often no other means of enjoying the sacraments which they deemed essential to salvation. They were also ridiculed for their humble condition in life, being almost wholly peasants, mechanics, and the like—poor and despised folk of whom the Church took little count, except to tax when orthodox and burn when heretic. But their crowning offence was their love and reverence for Scripture, and their burning zeal in making converts. The Inquisitor of Passau informs us that they had translations of the whole Bible in the vulgar tongue, which the Church vainly sought to suppress, and which they studied with incredible assiduity. He knew a peasant who could recite the Book of Job word for word; many of them had the whole of the New Testament by heart, and, simple as they were, were dangerous disputants. As for the missionary spirit, he tells of one who, on a winter night, swam the river Ips in order to gain a chance of converting a Catholic; and all, men and women, old and young, were ceaseless in learning and teaching. After a hard day's labor they would devote the night to instruction; they sought the lazar-

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* Wattenbach, Sitzungsberichte der Preuss. Akad. 1886, p. 51. Lib. Sentt. Inq. Tolosan. p. 367.—Anon. Passaviens. cap. 7, 8.—Refutat. Error. Waldens. (Mag. Bib. Pat. XIII. 336).—David Angustens. (Martene Thesaur. V. 1771–1772).—Archivio Storico Italiano, 1865, No. 38, pp. 39, 40.—Rorengo, Memorie Istoriche, Torino, 1649, p. 12.—Even as late as the end of the fourteenth century, in the extensive inquisitions of the Celestinian Peter, from Styria to Pomerania, there is no allusion to immoral practices. (Preger, Beiträge, pp. 68–72; Wattenbach, ubi sup.).

For the ascetic tendency of the Waldenses, recognizing vows of chastity, and the seduction of nuns as incest, see Montet, pp. 97, 98, 108–110. For the merit of fasting, see p. 99.

houses to carry salvation to the leper; a disciple of ten days' standing would seek out another whom he could instruct, and when the dull and untrained brain would fain abandon the task in despair they would speak words of encouragement: "Learn a single word a day, in a year you will know three hundred, and thus you will gain in the end." Surely if ever there was a God-fearing people it was these unfortunates under the ban of Church and State, whose secret passwords were, "*Ce dit sainct Pol, Ne mentir*," "*Ce dit sainct Jacques, Ne jurer*," "*Ce dit sainct Pierre, Ne rendre mal pour mal, mais biens contraires.*" The "Nobla Leyczon" scarce says more than the inquisitors, when it bitterly declares that the sign of a Vaudois, deemed worthy of death, was that he followed Christ and sought to obey the commandments of God.

"Que si u'i a alcun bon que ame e tema Yeshu Xrist,
Que non volha maudire ni jurar ni mentir,
Ni avoutrar ni aucir ni penre de l'altruy,
Ni venjar se de li seo enemis,
Ilh dion qu'es Vaudes e degne de punir,
E li troban cayson en meczonja e engan."

In fact, amid the license of the Middle Ages ascetic virtue was apt to be regarded as a sign of heresy. About 1220 a clerk of Spire, whose austerity subsequently led him to join the Franciscans, was only saved by the interposition of Conrad, afterwards Bishop of Hildesheim, from being burned as a heretic, because his preaching led certain women to lay aside their vanities of apparel and behave with humility.*

The sincerity with which the Waldenses adhered to their beliefs is shown by the thousands who cheerfully endured the horrors of the prison, the torture-chamber, and the stake, rather than return to a faith which they believed to be corrupt. I have met with a case in 1320, in which a poor old woman at Pamiers submitted to the dreadful sentence for heresy simply because she would not take an oath. She answered all interrogations on points of faith

* Lib. Sententt. Inquis. Tolosan. p. 367.—Anon. Passaviens. cap. 1, 3, 7, 8.—Refutat. Error. Waldens. (Mag. Bib. Pat. XIII. 336).—David Augustens. (Martene Thesaur. V. 1771, 1772, 1782, 1794).—P. de Pilichdorf contra Error. Waldens. cap. 1.—Innocent. PP. III. Regest. II. 141.—La Nobla Leyczon, 368–373.—Frat. Jordani Chron. (Analecta Franciscana, T. I. p. 4. Quaracchi, 1885).

in orthodox fashion, but though offered her life if she would swear on the Gospels, she refused to burden her soul with the sin, and for this she was condemned as a heretic.*

That all antisacerdotalists should agree, even under persecution, in a common creed, is not to be expected. In the decrees against heretics and in the writings of controversialists we meet the names of other sects, but they are of too little importance in numbers and duration to require more than a passing notice. The Passagii ("all-holy" or "vagabond") or Circumcisi were Judaizing Christians, who sought to escape the domination of Rome by a recourse to the old law and denying the equality of Christ with God. The Joseppini were still more obscure, and their errors appear mostly to lie in the region of artificial and unclean sexual asceticism. The Siscidentes were virtually the same as the Waldenses, the only difference being as to the administration of the Eucharist. The Ordibarii and Ortlibenses, followers of Ortlieb of Strassburg, who flourished about the year 1216, were likewise externally akin to the Waldenses, but indulged in doctrinal errors to which we shall have to recur hereafter. The Runcarii appear to have been a connecting link between the Poor Men of Lyons and the Albigenses or Manichæans; an intermediate sect whose existence might be presupposed as an almost necessary result of the common interests and common sufferings of the two leading branches of heresy.†

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* MSS. Bib. Nat. Coll. Moreau, 1274, fol. 72.

† Bonacursi Vit. Hæreticorum (D'Achery I. 211, 212).—Lucii PP. III. Epist. 171.—Muratori Antiquitat. Dissert. LX.—Constit. General. Frid. II. ann. 1220, § 5. —Lucæ Tudens. de altera Vita Lib. III. cap. 3.—Anon. Passaviens. contra Waldens. cap. 6.—P. de Pilichdorf contra Waldens. cap. 12.—Hoffman, Geschichte der Inquisition, II. 371.—Schmidt, Hist. des Cathares, II. 284.

CHAPTER III.

THE CATHARI.

THE movements described above were the natural outcome of antisacerdotalism seeking to renew the simplicity of the Apostolic Church. It is a singular feature of the religious sentiment of the time that the most formidable development of hostility to Rome was based on a faith that can scarce be classed as Christian, and that this hybrid doctrine spread so rapidly and resisted so stubbornly the sternest efforts at suppression that at one time it may fairly be said to have threatened the permanent existence of Christianity itself. The explanation of this may perhaps be found in the fascination which the dualistic theory—the antagonism of co-equal good and evil principles—offers to those who regard the existence of evil as incompatible with the supremacy of an all-wise and beneficent God. When to Dualism is added the doctrine of transmigration as a means of reward and retribution, the sufferings of man seem to be fully accounted for; and in a period when those sufferings were so universal and so hopeless as in the eleventh and twelfth centuries, it is possible to understand that many might be predisposed to adopt so ready an explanation. Yet this will not account for the fact that the Manichæism of the Cathari, Patarins, or Albigenses, was not a mere speculative dogma of the schools, but a faith which aroused fanaticism so enthusiastic that its devotees shrank from no sacrifices in its propagation and mounted the blazing pyre with steadfast joy. A profound conviction of the emptiness of sacerdotal Christianity, of its failure and approaching extinction, and of the speedy triumph of their own faith may partially explain the unselfish fervor which it excited among the poor and illiterate.

Of all the heresies with which the early Church had to contend, none had excited such mingled fear and loathing as Manichæism. Manes had so skilfully compounded Mazdean Dualism with Chris-

tianity and with Gnostic and Buddhist elements, that his doctrine found favor with high and low, with the subtle intellects of the schools and with the toiling masses. Instinctively recognizing it as the most dangerous of rivals, the Church, as soon as it could command the resources of the State, persecuted it relentlessly. Among the numerous edicts of both Pagan and Christian emperors, repressing freedom of thought, those directed against the Manichæans were the sharpest and most cruel. Persecution attained its end, after prolonged struggle, in suppressing all outward manifestations of Manichæism within the confines of the imperial power, though it long afterwards maintained a secret existence, even in the West. In the East it withdrew ostensibly to the boundaries of the empire, still keeping up hidden relations with its sectaries scattered throughout the provinces, and even in Constantinople itself. It abandoned its reverence for Manes as the paraclete and transferred its allegiance to two others of its leaders, Paul and John of Samosata, from the first of whom it acquired the name of Paulicianism. Under the Emperor Constans, in 653, a certain Constantine perfected its doctrine, and it maintained itself under repeated and cruel persecutions, which it endured with the unflinching willingness of martyrdom and persistent missionary zeal that we shall see characterize its European descendants. Sometimes driven across the border to the Saracens and then driven back, the Paulicians at times maintained an independent existence among the mountains of Armenia and carried on a predatory warfare with the empire. Leo the Isaurian, Michael Curopalates, Leo the Armenian, and the Regent Empress Theodora in vain sought their extermination in the eighth and ninth centuries, until at length, in the latter half of the tenth century, John Zimiskes tried the experiment of toleration, and transplanted a large number of them to Thrace, where they multiplied greatly, showing equal vigor in industry and in war. In 1115 we hear of Alexis Comnenus spending a summer at Philippopolis and amusing himself in disputation with them, resulting in the conversion of many of the heretics.*

* Mosaic. et Roman. Legg. Collat. tit. xv. § 3 (Hugo, 1465).—Const. 11, 12, Cod. I. v.—P. Siculi Hist. de Manichæis.—Zonaræ Annal. tom. III. pp. 136, 241, 242 (Ed. 1557).—Findlay's Hist. of Greece, 2d Ed. III. 65.

The Bogomili (Friends of God), another Manichæan sect, whose name betrays their Slav or Bulgarian origin, have been cited as a link connecting the Pauli-

It was almost immediately after their transfer to Europe by Zimiskes that we meet with traces of them in the West, showing that the activity of their propagandism was unabated.

In all essentials the doctrine of the Paulicians was identical with that of the Albigenses. The simple Dualism of Mazdeism, which regards the universe as the mingled creations of Hormazd and Ahriman, each seeking to neutralize the labors of the other, and carrying on interminable warfare in every detail of life and nature, explains the existence of evil in a manner to enlist man to contribute his assistance to Hormazd in the eternal conflict, by good thoughts, good words, and good deeds. Enticed by Gnostic speculation, Manes modified this by identifying spirit with the good and matter with the evil principle—perhaps a more refined and philosophical conception, but one which led directly to pessimistic consequences and to excesses of asceticism, since the soul of man could only fulfil its duty by trampling on the flesh. Thus in the Paulician faith we find two coequal principles, God and Satan, of whom the former created the invisible, spiritual, and eternal universe, the latter the material and temporal, which he governs. Satan is the Jehovah of the Old Testament; the prophets and patriarchs are robbers, and, consequently, all Scripture anterior to the Gospels is to be rejected. The New Testament, however, is Holy Writ, but Christ was not a man, but a phantasm—the Son of God who appeared to be born of the Virgin Mary and came from Heaven to overthrow the worship of Satan. Transmigration provides for the future reward or punishment of deeds done in life. The sacraments are rejected, and the priests and elders of the

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cians and the Cathari, but incorrectly, although they may have had some influence in producing the moderated Dualism of a portion of the latter. Their leader, Demetrius, was burned alive by Alexis Comnenus in 1118 after a series of investigations more creditable to the zeal of the emperor than to his good faith. They continued to enjoy a limited toleration until the thirteenth century, when they disappeared.—See Annæ Comnenæ Alexiados Lib. xv.—Georgii Cedreni Hist. Comp. sub ann. 20 Constant.—Zonaræ Annal. t. III. p. 238.—Balsamon. Schol. in Nomocanon tit. x. cap. 8.—Schmidt, Hist. des Cathares, I. 13–15; II. 265.

About the middle of the eleventh century Psellus describes another Manichæan sect named Euchitæ, who believed in a father ruling the supramundane regions and committing to the younger of his two sons the heavens and to the elder the earth. The latter was worshipped under the name of Satanaki—(Pselli de Operat. Dæmon. Dial.).

Church are only teachers without authority over the faithful. Such are the outlines of Paulicianism as they have reached us, and their identity with the belief of the Cathari is too marked for us to accept the theory of Schmidt, which assigns to the latter an origin among the dreamers of the Bulgarian convents. A further irrefragable evidence of the derivation of Catharism from Manichæism is furnished by the sacred thread and garment which were worn by all the Perfect among the Cathari. This custom is too peculiar to have had an independent origin, and is manifestly the Mazdean *kosti* and *saddarah*, the sacred thread and shirt, the wearing of which was essential to all believers, and the use of which by both Zends and Brahmans shows that its origin is to be traced to the prehistoric period anterior to the separation of those branches of the Aryan family. Among the Cathari the wearer of the thread and vestment was what was known among the inquisitors as the "hæreticus indutus" or "vestitus," initiated into all the mysteries of the heresy.*

* P. Siculi op. cit.—Bleek's Avesta, III. 4.—Haug's Essays, 2d ed. pp. 244, 249, 286, 367.—Yajnavalkya, i. 37.

For the corresponding tenets of the Cathari, see Radulf. Ardent. T. I. p. II. Hom. xix.—Ermengaudi contra Hæret. Opusc.—Epist. Leodiens. ad Lucium PP. III. (Martene. Ampl. Collect. I. 776-778).—Ecberti Schonaug. Serm. contra Catharos, Serm. I. viii. xi.—Gregor. Episc. Fanens. Disput. Catholici contra Hærct.—Monetæ adv. Catharos Lib. I. cap. 1.—Arch. de l'Inq. de Carcassonne (Coll. Doat, XXXII. f. 93).—Rainerii Saccon. Summa.—Cæsar. Heisterbac. Dial. Mirac. Dist. v. cap. 21.—Lib. Seutt. Inquis. Tolosan. pp. 93, 93, 249 (Limborch).—Lib. Confess. Inq. Albiens. (MSS. Bib. Nat. fonds latin 11847).—Trithem. Chron. Hirsaag. ann. 1163.

In a MS. controversial tract against the Cathari, dating from the end of the thirteenth century, the writer, following Moneta, states that their objections to the Old Testament sprang from four roots: first, the contradiction which seemed to exist between the Old and New Testaments; second, the changefulness of God himself, manifest in Scripture; third, the cruel attributes of God in Scripture; fourth, the falsehood ascribed to God. A single example will suffice of the arguments which the heretics advanced in support of their position. "They quote Genesis iii. 'Behold, Adam has become as one of us.' Now God says this of Adam after he had sinned, and he must have spoken truth or falsehood. If truth, then Adam had become like him who spoke and those to whom he spoke; but Adam after the fall had become a sinner, and therefore evil. If falsehood, then he is a liar; he sinned in so saying and thus was evil." To this logic the orthodox polemic contents himself with the answer that God spoke ironically. Throughout the tract the reasoning ascribed to the Cathari shows them to possess a thorough acquaintance with Scripture, and the use which they

Catharism thus was a thoroughly antisacerdotal form of belief. It cast aside all the machinery of the Church. The Roman Church indeed was the synagogue of Satan, in which salvation was impossible. Consequently the sacraments, the sacrifices of the altar, the suffrages and interposition of the Virgin and saints, purgatory, relics, images, crosses, holy water, indulgences, and the other devices by which the priest procured salvation for the faithful were rejected, as well as the tithes and oblations which rendered the procuring of salvation so profitable. Yet the Catharan Church, as the Church of Christ, inherited the power to bind and to loose bestowed by Christ on his disciples; the Consolamentum, or Baptism of the Spirit, wiped out all sin, but no prayers were of use for the sinner who persisted in wrong-doing. Curiously enough, though Catharism translated the Scripture, it retained the Latin language in its prayers, which were thus unintelligible to most of the disciples, and it had its consecrated class who conducted its simple services. Some regular form of organization, indeed, was necessary for the government of its rapidly increasing communities and for the missionary work which was so zealously carried forward. Thus there came to be four orders selected from among the "Perfected," who were distinguished from the mass of believers, or simple "Christians"—the Bishop, the Filius Major, the Filius Minor, and the Deacon. Each of the three higher grades had a deacon as an assistant, or to replace him; for the functions of all were the same, though the Filii were mostly employed in visiting the members of the church. The Filius Major was elected by the congregation and promotions were made to the episcopate as vacancies occurred. Ordination was conferred by the imposition of hands or Consolamentum, which was the equivalent of baptism, administered to all who were admitted to the Church. The belief that sacraments were vitiated in sinful hands gave rise to considerable anxiety, and to guard against it the Consolamentum was generally repeated a second and a third time. It was generally, though not universally, held that the lower in grade could not consecrate the higher, and therefore in many cities there were habitu-

made of it explains the prohibition of the Bible to the laity by the Church.—Archives de l'Inq. de Carcassoune, Coll. Doat, XXXVI. 91. (See Appendix.)

Yet the Catharan ritual published by Cunitz quotes Isaiah and Solomon. (Beiträge zu den theolog. Wissenschaften, B. IV. 1852, pp. 16, 26.)

ally two bishops, so that in the case of death consecration should not be sought at the hands of a filius major.*

The Catharan ritual was severe in its simplicity. The Catholic Eucharist was replaced by the benediction of bread, which was performed daily at table. He who was senior by profession or position took the bread and wine, while all stood up and recited the Lord's Prayer. The senior then saying, "The grace of our Lord Jesus Christ be with us," broke the bread, and distributed it to all present. This blessed bread was regarded with special reverence by the great mass of the Cathari, who were, as a rule, merely "crezentz," "credentes," or believers, and not fully received or "perfected" in the Church. These would sometimes procure a piece of this bread and keep it for years, occasionally taking a morsel. Every act of eating or drinking was preceded by prayer; when a "perfected" minister was at the table, the first drink and every new dish that was tasted was accompanied by the guests with "Benedicite," to which he responded "*Diaus vos benesiga.*" There was a monthly ceremony of confession, which, however, was general in its character and was performed by the assembled faithful. The great ceremony was the "Cossolament," "Consolamentum," or Baptism of the Holy Ghost, which reunited the soul to the Holy Spirit, and which, like the Christian baptism, worked absolution of all sin. It consisted in the imposition of hands, it required two ministrants, and could be performed by any one of the Perfected not in mortal sin—even by a woman. It was inefficacious, however, when one of these was involved in sin. This was the process of "heretication," as the inquisitors termed the admission into the Church, and except in the case of those who proposed to become ministers was, as a rule, postponed until the death-bed, probably for fear of persecution; but the "credens" frequently entered into an agreement, known as "la covenansa," binding himself to undergo it at the last moment, and this engagement authorized its performance even though he had lost the power of speech and was unable to make the responses. In form it was exceedingly simple, though it was generally preceded by

* Tract. de Modo Procedendi contra Hæreticos (MSS. Bib. Nat. Coll. Doat, XXX. fol. 185 sqq.).—Raineriі Saccon. Summa.—E. Cunitz in Beiträge zu den theol. Wissenschaften, 1852, B. IV. pp. 30, 36, 85.

preparation, including a prolonged fast. The ministrant addressed the postulant, "Brother, dost thou wish to give thyself to our faith?" The neophyte, after several genuflexions and blessings, said, "Ask God for this sinner, that he may lead me to a good end and make me a good Christian," to which the ministrant rejoined, "Let God be asked to make thee a good Christian and to bring thee to a good end. Dost thou give thyself to God and to the gospel?" and after an affirmative response, "Dost thou promise that in future thou wilt eat no meat, nor eggs, nor cheese, nor any victual except from water and wood; that thou wilt not lie or swear or do any lust with thy body, or go alone when thou canst have a comrade, or abandon the faith for fear of water or fire or any other form of death?" These promises being duly made, the bystanders knelt, while the minister placed on the head of the postulant the Gospel of St. John and recited the text: "In the beginning was the Word," etc., and invested him with the sacred thread. Then the kiss of peace went round, the women receiving it by a touch of the elbow. The ceremony was held to symbolize the abandonment of the Evil Spirit, and the return of the soul to God, with the resolve to lead henceforth a pure and sinless life. With the married, the assent of the spouse was of course a condition precedent. When this heretication occurred on the deathbed, it was commonly followed by the "Endura" or "privation." The ministrant asked the neophyte whether he desired to be a confessor or a martyr; if the latter, a pillow or a towel (known among the German Cathari as Untertuch) was placed over his mouth while certain prayers were recited; if he chose the former he remained without food or drink, except a little water, for three days; and in either case, if he survived, he became one of the Perfected. This Endura was also sometimes used as a mode of suicide, which was frequent in the sect. Torture at the end of life relieved them of torment in the next world, and suicide by voluntary starvation, by swallowing pounded glass or poisonous potions, or opening the veins in a bath, was not uncommon—and, failing this, it was a kind office for the next of kin to extinguish life when death was near. The ceremony known to the sectaries as "Melioramentum," and described by the inquisitors as "veneration," was important as affording to them a proof of heresy. When a "credens" approached or took leave of a minister of the sect, he

bent the knee thrice, saying "benedicite," to which the minister replied, "*Diaus vos benesiga.*" It was a mark of respect to the Holy Ghost assumed to dwell in the minister, and in the records of trials we find it eagerly inquired into, as it served to convict those who performed it.*

These customs, and the precepts embodied in the formula of heretication, illustrate the strong ascetic tendency of the faith. This was the inevitable consequence of its peculiar form of Dualism. As all matter was the handiwork of Satan, it was in its nature evil; the spirit was engaged in a perpetual conflict with it, and the Catharan's earnest prayer to God was not to spare the flesh sprung from corruption, but to have mercy on the imprisoned spirit—"*no aias merce de la carn nada de corruptio, mais aias merce de l esperit pausat en carcer.*" Consequently, whatever

* Raineri Saccon. Summa.—Lib. Confess. Inquis. Albiens. (MSS. Bib. Nat. fonds latin, 11847).—Coll. Doat, XXII. 208, 209; XXIV. 174; XXVI. 197, 259, 272.—Lib. Sentt. Inquis. Tolosan. pp. 10, 33, 37, 70, 71, 76, 84, 94, 125, 126, 137–139, 143, 160, 178, 179, 199.—Bern. Guidon. Practica P. IV. V. (MSS. Bib. Nat. Collect. Doat. T. XXX.).—Landulf. Senior Hist. Mediolan. ii. 27.—Anon. Passaviens. contra Waldens. cap. 7.—Processus contra Valdenses (Archivio Storico Italiano, 1865, No. 39, p. 57). The description in the text of the form of heretication, by Raineric Saccone, is confirmed in its details by the depositions of witnesses before the Inquisition of Toulouse, showing that the form was essentially the same throughout the churches.—Doat, XXII. 224, 237 sqq.; XXIII. 272, 344; XXIV. 71. See also Vaissette III. Preuves, 386, and Cunitz, Beiträge zu den theolog. Wissenschaften, 1852, B. IV. pp. 12–14, 21–28, 33, 60.

The practice of the Endura among the Cathari of Languedoc has been investigated with his customary thoroughness by M. Charles Molinier (Annales de la Faculté des Lettres de Bordeaux, 1881, No. 3). It was not always limited to three days, and its rigor may be guessed by a single example. Blanche, the mother of Vital Gilbert, caused her infant grandchild to be "consoled" while sick, and then prevented the mother, Guillelma, from giving it milk till it died (Lib. Sententt. Inq. Tolos. p. 104). Molinier's theory that the custom was of comparatively late introduction is confirmed by the absence of any allusion to it in the ritual published by Cunitz (loc. cit.), but that it was not confined to Languedoc is shown by the Anon. Passaviens. and the evidence in the Piedmontese trials of 1388 (Arch. Storico, ubi sup.).

A case in which the Consolamentum was administered to an insensible patient who subsequently recovered is recorded in the sentences of Pierre Cella (Doat, XXI. 295), and also several instances in which young girls were "perfected" at a very early age, and wore the vestments for limited periods of two or three years (ibid. 241, 244).

tended to the reproduction of animal life was to be shunned. To mortify the flesh the Catharan fasted on bread and water three days in each week, except when travelling, and in addition there were in the year three fasts of forty days each. Marriage was also forbidden except among a few, who permitted it between virgins provided they separated as soon as a child was born, and the mitigated Dualists who confined the prohibition to the Perfect and permitted marriage to the believers. Among the rigid, carnal matrimony was replaced by the spiritual union between the soul and God effected by the rite of Consolamentum. Sexual passion, in fact, was the original sin of Adam and Eve, the forbidden fruit whereby Satan has continued his empire over man. In a confession before the Inquisition of Toulouse in 1310, it is said of one heretic teacher that he would not touch a woman for the whole world; in another case a woman relates of her father that after he was hereticated he told her she must never touch him again, and she obeyed the command even when he was on the death-bed. So far was this carried that the use of meat, of eggs, of milk, of everything, in short, which was the result of animal propagation, was inhibited, except fish, which by a strange inconsistency seems to have been regarded as having some different origin. The condemnation of marriage and the rejection of meat constituted, with the prohibition of oaths, the chief external characteristics of Catharism, by which the sectaries were marked and known. In 1229 two leading Tuscan Cathari, Pietro and Andrea, performed public abjuration before Gregory IX. in Perugia, and two days later, June 26th, they gave solemn assurance of the sincerity of their conversion by eating flesh in the presence of a number of prelates, which was duly recorded in an instrument drawn up for the purpose.*

* S. Bernardi Serm. lxvi. in Cantica, cap. 3-7.—Ecberti Schonaug. Serm. i. v. vi. contra Catharos.—Bonacursi Vit. Hæreticor. —Gregor. Fanens. Disput. Cathol. contra Hæreticos cap. 1, 2, 11, 14.—Monetæ adv. Catharos Lib. i. cap. 1.—Cunitz (Beiträge zu den theol. Wissenschaften, 1852, p. 14).—Radulf. Coggeshall. Chron. Anglic. (D. Bouquet, XVIII. 92, 93).—Evervini Steinfeldens. Epist. ad S. Bernard. cap. 3.—Concil. Lombariens. ann. 1165.—Radulf. Ardent. T. I. p. ii. Hom. xix.—Ermengaudi contra Hæret. Opusc.—Bonacursus contra Catharos (Baluz. et Mansi, II. 581-586).—Alani de Insulis contra Hæret. Lib. i.—Monet. adv. Catharos. Lib. iv. cap. vii. § 3.—Rainerii Saccon. Summa.—Lib. Sententt. Inq. Tolosan. pp. 111, 115.—Coll. Doat, T. XXX. fol. 185 sqq.; XXXII. fol. 93 sqq.—

It was inevitable that, in process of time, diversities should spring up in a sect so widely scattered, and accordingly we find among the Italian Cathari two minor divisions known as Concorrezenses (from Concorrezo, near Monza, in Lombardy) and Bajolenses (from Bagnolo in Piedmont), who held a modified form of Dualism in which Satan was inferior to God, by whose permission he created and ruled the world, and formed man. The Concorrezenses taught that Satan infused in Adam an angel who had sinned a little, and they revived the old Traducian heresy in maintaining that all human souls are derived from that spirit. The Bajolenses differed from this in saying that all human souls were created by God before the world was formed, and that even then they had sinned. These speculations were expanded into a myth relating that Satan was the steward of heaven, charged with the duty of collecting the daily amount of praise and psalmody due by the angels to God. Desiring to become like the Highest, he abstracted and retained for himself a portion of the praise, when God, detecting the fraud, replaced him by Michael and ejected him and his accomplices. Satan thereupon uncovered the earth from water and created Adam and Eve, but labored in vain for thirty years to infuse souls into them, until he procured from heaven two angels who favored him, and who subsequently passed through the bodies of Enoch, Noah, Abraham, and all the patriarchs and prophets, wandering and vainly seeking salvation until, as Simeon and Anna, at the advent of Christ (Luke iii. 25–38), they accomplished their redemption and were permitted to return to heaven. Human souls are similarly all fallen spirits passing through probation, and this was very generally the belief of all the sects of Cathari, leading to a theory of transmigration very similar to that of Buddhism, though modified by the belief that Christ's earthly mission was the redemption of these fallen spirits.

Stephan. de Borbone (D'Argentré, Coll. Judic. de novis Error. I. i. 91).—Archiv. Fiorent. Prov. S. Maria Novella, Giugno 26, 1229.

In the early days of the Inquisition a certain Jean Teisscire, summoned before the tribunal of Toulouse, defended himself by exclaiming, "I am not a heretic, for I have a wife and I lie with her, and have children, and I eat flesh, and lie, and swear, and am a faithful Christian."—(Guillel. Pelisso Chron. Ed. Molinier, Anicii 1880, p. 17). See also the Sentences of Pierre Cella, Coll. Doat, XXI. 223.

Until the perfected soul could return to its Creator, as in the *moksha* or absorption in Brahma of the Hindu, it was forced to undergo repeated existence. As it could be still further punished for evil deeds by transmission into the lower animal forms, there naturally followed the Buddhistic and Brahmanical prohibition of slaying any created thing, except reptiles and fish. The Cathari who were hanged at Goslar in 1052 refused to kill a pullet, even with the gallows before their eyes, and in the thirteenth century this test was regarded as a ready means of identifying them.*

There were a few philosophic spirits in the sect, moreover, who emerged from these vain speculations and curiously anticipated the theories of modern Rationalism. With these Nature took the place of Satan; God, after forming the universe, abandoned its conduct to Nature, which has the power of creating all things and regulating them. Even the production of individual species is not the act of divine Providence, but is a process of nature—in fact, of evolution, in modern parlance. These Naturalists, as they called themselves, denied the existence of miracles; they explained, by an exegesis not much more strained than that of orthodoxy, all those in the Gospels; and they held that it was useless to pray to God for good weather, for Nature alone controlled the elements. They wrote much, and a Catholic antagonist admits the attraction of their writings, especially the work known as "Perpendiculum Scientiarum," or the "Plummet of Science," which he says was well adapted to make a deep impression on the reader through its array of philosophy and happily-chosen texts of Scripture.†

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* Rainerii Saccon. Summa.—Tocco, L'Eresia nel Medio Evo, p. 75.—Gregor. Fanens. Disput. cap. iv.—Monetæ adv. Catharos Lib. I. cap. 1, 2, 4, 6.—Alani de Insulis contra Hæret. Lib. I.—Ecberti Schonaug. Serm. i., xiii. contra Catharos. —Ermengaudi contra Hæret. Opusc. cap. 14.—Millot, Hist. Litt. des Troubadours, II. 64.—Lib. Sententt. Inq. Tolosan. p. 84.—Gest. Episcop. Leodiens. Lib. II. cap. 60, 61.—Stephan. de Borbone (D'Argentré, Collect. Judic. de nov. Error. I. I. 90).—Muratori Antiq. Ital. Diss. ix.

Among the early Christians there was a strong tendency to adopt the theory of transmigration as an explanation of the apparent injustice of the judgments of God. See Hieron. Epist. cxxx. ad Demetriadem, 16.

† Lucæ Tudens. de altera Vita Lib. III. cap. ii.

Before ridiculing the Catharan theory of Dualism, we must bear in mind how

There was nothing in such a faith to attract the sensual and carnal-minded. In fact, it was far more repellant than attractive, and nothing but the discontent excited by the pervading corruption and oppression of the Church can explain its rapid diffusion and the deep hold which it obtained upon the veneration of its converts. Although the asceticism which it inculcated was beyond the reach of average humanity, its ethical teachings were

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strong is the tendency in this direction of sensitive and ardent souls, who keenly feel the imperfections of man's nature and its contrast with the possibilities of an ideal. Thus Flacius Illyricus, the fervid reformer, about 1560, came perilously near to the Catharan myths, and gave rise to a warm controversy by maintaining that original sin was not an accident, but the substance in man; that the original image of God was, through the Fall, not replaced, but metamorphosed into an image of Satan, a transformation of absolute good into absolute evil; a theory which, as he was warned by his friends Musæus and Judex, must necessarily lead to Manichæism.—See Herzog, Abriss der gesammten Kirchengeschichte, III. 313.

Orthodox asceticism also trenches closely on Manichæism in its denunciation of the flesh, which it treats as the antagonist and enemy of the soul. Thus, St. Francis of Assisi says, "Many, when they sin or are injured, blame their enemy or neighbor. This should not be so, for every one has his enemy in his power, namely, the body through which he sins. Thus blessed is that servant who always holds captive and guards himself against that enemy delivered to him, for when he does thus no other visible enemy can hurt him" (S. Francisci Admonit. ad Fratres No. 9). And in another passage (Apoph. xxvii.) he describes his body as the most cruel enemy and worst adversary, whom he would willingly abandon to the demon.

According to the Dominican Tauler, the leader of the German mystics in the fourteenth century, man in himself is but a mass of impurity, a being sprung from evil and corrupt matter, only fit to inspire horror; and this opinion was fully shared by his followers even though they were overflowing with love and charity (Jundt, les Amis de Dieu, Paris, 1879, pp. 77, 229).

Jean-Jacques Olier, the founder of the great theological seminary of St. Sulpice, in his "Catechisme Chrétien pour la vie interieure," which I believe is still in use there as a text-book, goes as far as Manes or Buddha in his detestation of the flesh as the cause of man's sinful nature—"Je ne m' étonne plus si vous dites qu'il faut haïr sa chair, que l'on doit avoir horreur de soi même, et que l'homme, dans son état actuel, doit être maudit. . . . En verité, il n'y a aucune sorte de maux et de malheurs qui ne doivent tomber sur lui à cause de sa chair."—See Renan, Souvenirs de l'enfance et de jeunesse, p. 206.

With such views it is simply a question of words whether the creator of such an abomination as the crowning work of the terrestrial universe is to be called God or Satan; he certainly cannot be the Good Principle.

admirable. As a rule they were reasonably obeyed, and the orthodox admitted with regret and shame the contrast between the heretics and the faithful. It is true that the exaggerated condemnation of marriage expressed in the formula, that relations with a wife were as sinful as incest with mother or sister, was naturally enough perverted into the statement that such incest was permissible and was practised. Wild stories, moreover, were told of the nightly orgies in which the lights were extinguished and promiscuous intercourse took place; and the stubbornness of heresy was explained by telling how, when a child was born of these foul excesses, it was tossed from hand to hand through a fire until it expired; and that from its body was made an infernal eucharist of such power that whoever partook of it was thereafter incapable of abandoning the sect. There is ample store of such tales, but however useful they might be in exciting a wholesome popular detestation of heresy, the candid and intelligent inquisitors who had the best means of knowing the truth admit that they have no foundation in fact; and in the many hundreds of examinations and sentences which I have read there is no allusion to anything of the kind, except in some proceedings of Frà Antonio Secco among the Alpine valleys in 1387. As a rule, the inquisitors wasted no time in searching for what they knew was non-existent. As St. Bernard says, "If you interrogate them, nothing can be more Christian; as to their conversation, nothing can be less reprehensible, and what they speak they prove by deeds. As for the morals of the heretic, he cheats no one, he oppresses no one, he strikes no one; his cheeks are pale with fasting, he eats not the bread of idleness, his hands labor for his livelihood." This last assertion is especially true, for they were mostly simple folk, industrious peasants and mechanics, who felt the evils around them and welcomed any change. The theologians who combated them ridiculed them as ignorant churls, and in France they were popularly known by the name of Texerant (Tisserands), on account of the prevalence of the heresy among the weavers, whose monotonous occupation doubtless gave ample opportunity for thought. Rude and ignorant they might be for the most part, but they had skilled theologians for teachers, and an extensive popular literature which has utterly perished, saving a Catharan version of the New Testament in Romance and a book of rit-

ual. Their familiarity with Scripture is vouched for by the warning of Lucas, Bishop of Tuy, that the Christian should dread their conversation as he would a tempest, unless he is deeply skilled in the law of God, so that he can overcome them in argument. Their strict morality was never corrupted, and a hundred years after St. Bernard the same testimony is rendered to the virtues of those who were persecuted in Florence in the middle of the thirteenth century. In fact the formula of confession used in their assemblies shows how strict a guard was maintained over every idle thought and careless word.*

Their proselyting zeal was especially dreaded. No labor was too severe, no risks too great, to deter them from spreading the faith which they deemed essential to salvation. Missionaries wandered over Europe through strange lands to carry the glad tidings to benighted populations, regardless of hardship, and undeterred by the fate of their brethren, whom they saw expiate at the stake the hardihood of their revolt. Externally they professed to be Catholics, and were exemplary in the performance of their religious duties till they had won the confidence of their new neighbors, and could venture on the attempt of secret conversion whenever they saw opportunity. They scattered by the wayside writings in which the poison of their doctrine was skilfully conveyed

* Processus contra Valdenses (Archivio Storico Italiano, 1865, Nos. 38, 39).—S. Bernardi Serm. in Cantica lxv. cap. 5; lxvi. cap. 1.—Gregor. Fanens Disputat. cap. 17.—Anon. Passavieus. contra Waldens. cap. 7.—Radulf. Coggeshall. Chron. Anglic. (D. Bouquet, XVIII. 98).—Concil. Remens. ann. 1157, c. 1.—Ecberti Schonaug. contra Catharos Serm. i. cap. 1.—Cunitz, Beiträge zu den theol. Wissenschaften, 1852, B. IV. pp. 4, 12-14.—Lucæ Tudens. de altera Vita Lib. II. cap. 9; Lib. III. cap. 5.—Lami, Anticbità Toscane, p. 550.

The Cathari probably had Romance versions of the New Testament as early as 1178, when we find the cardinal legate disputing at Toulouse with two Catharan bishops whose ignorance of Latin was a subject of ridicule, while they seem to have been ready enough with Scripture.—Roger. Hovedcn. Annal. ann. 1178. See also Molinier, Annales de la Faculté des lettres de Bordeaux, 1883, No. 3.

Abbot Joachim bears testimony to the external virtues of the Cathari of Calabria, and the advantage which they derived from the vices of the clergy.—Tocco, L'Eresia nel Medio Evo, p. 403.

The story of the sacrament made from the bodies of children born of promiscuous intercourse was widely circulated and variously applied. It was related in the eleventh century of the Eucbitæ by Psellus (De Operat. Dæmon.) and continued to be told of successive heretics—even of the Templars.

without being obtrusive, and sometimes they had no scruple in calling to their aid the superstitions of orthodoxy, as when such writings would promise indulgences to those who would read them carefully and circulate them among their neighbors, or when they purported to come from Jesus Christ and be conveyed by angels. It does not say much for the intelligence of the clergy when we are told that many priests were corrupted by such papers, picked up by shepherds and carried to them to be deciphered. Even more reprehensible was the device of the Cathari of Moncoul in France, who made an image of the Virgin, deformed and ugly and one-eyed, saying that Christ, to show his humility, had selected such a woman for a mother. Then they proceeded to work miracles with it, feigning to be sick and to be cured by it, until it acquired such reputation that many similar ones were made and placed in churches or oratories, until the heretics divulged the secret, to the great confusion of the faithful. The same device was carried out with a crucifix having no upper arm, the feet of Christ crossed, and only three nails—an unconventional form which was imitated and caused great scandal when the mockery was discovered. Even bolder frauds were attempted in Leon, and not without success, as we shall see hereafter.*

The zeal for the faith, which prompted these eccentric missionary efforts, manifested itself in a resolute adherence to the precepts enjoined on the neophyte when admitted into the circle of the Perfects. As in the case of the Waldenses, while the Inquisition complained bitterly of the difficulty of obtaining an avowal from the simple "credens," whose rustic astuteness eluded the practised skill of the interrogator, it was the general testimony that the perfected heretic refused to lie, or to take an oath; and one member of the Holy Office warns his brethren not to begin by asking "Are you truly a Catharan?" for the answer will simply be "Yes," and then nothing more can be extracted; but if the Perfect is exhorted by the God in whom he believes to tell all about his life, he will faithfully detail it without falsehood. When we consider that this frankness led inevitably to the torture of death by burn-

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* Ecberti Schonaug. contra Catharos Serm. I. cap. 2.—Cæsar. Heisterbac. Dial. Mirac. Dist. v. cap. 18.—Lucæ Tudensis de altera Vita Lib. II. cap. 9; Lib. III. cap. 9, 18.

ing, it is curious to observe that the inquisitor seems utterly unconscious of the emphatic testimony which he renders to the superhuman conscientiousness of his victims.*

It is not easy for us to realize what there was in the faith of the Cathari to inspire men with the enthusiastic zeal of martyrdom, but no religion can show a more unbroken roll of those who unshrinkingly and joyfully sought death in its most abhorrent form in preference to apostasy. If the blood of the martyrs were really the seed of the Church, Manichæism would now be the dominant religion of Europe. It may be partially explained by the belief that a painful death for the faith insured the return of the soul to God; but human weakness does not often permit such habitual triumph of the spirit over the flesh as that which rendered the Cathari a proverb in their thirst for martyrdom. The hostile testimony to this effect is virtually unanimous. In the earliest persecution on record, at Orleans about 1017, out of fifteen, thirteen remained steadfast in the face of the fire kindled for their destruction; they refused to recant though pardon was offered, and their constancy was the wonderment of the spectators. When, about 1040, the heretics of Monforte were discovered, and Eriberto, Archbishop of Milan, sent for Gherardo, their leader, he came at once and voluntarily set forth his belief, rejoicing in the opportunity of sealing his faith with torment. Those who were burned at Cologne in 1163 produced a profound impression by the cheerful alacrity with which they endured their fearful punishment; and while they were in their agony it is related that their leader, Arnold, half roasted to death, placed a liberated arm on the heads of his disciples, calmly saying, "Be ye constant in your faith, for this day shall ye be with Lawrence!" Among this group of heretics was a beautiful girl whose modesty moved the compassion of even the brutal executioners. She was withdrawn from the flames and promises were made to find her a husband or place her in a convent. Seeming to assent, she remained quiet till the rest were dead, and then asked her guards to show her the seducer of souls. In pointing out the body of Arnold they loosened their hold, when she suddenly broke from them, and, covering her face with her

* Anon. Passaviens. c. 6.—Processus contra Valdenses (Arch. Storico Ital. 1865, No. 39, p. 57).

dress, threw herself upon the remains of her teacher, and, burning to death, descended with him into hell for eternity. Those who about the same time were detected at Oxford, rejected all offers of mercy, with the words of Christ, "Blessed are they which are persecuted for righteousness' sake, for theirs is the kingdom of heaven:" and when they were led forth after a sentence which virtually consigned them to a shameful and lingering death, they went rejoicing to the punishment, their leader Gerhard preceding them, singing "Blessed are ye when men shall revile you." In the Albigensian Crusade, at the capture of the Castle of Minerve, the Crusaders piously offered their prisoners the alternative of recantation or the stake, and a hundred and eighty preferred the stake, when, as the monkish chronicler quietly remarks, "no doubt all these martyrs of the devil passed from temporal to eternal flames." An experienced inquisitor of the fourteenth century tells us that the Cathari usually were either truly converted by the efforts of the Holy Office or else were ready to die for their faith; while the Waldenses were apt to feign conversion in order to escape. This obdurate zeal, we are assured by the orthodox writers, had in it nothing of the constancy of Christian martyrdom, but was simply hardness of heart inspired by Satan; and Frederic II. enumerated among their evil traits the obstinacy which led the survivors to be in no way dismayed or deterred by the ruthless example made of those who were punished.*

It was, perhaps, natural that these Manichæans should be accused of worshipping the devil. To men bred in the current orthodox practices of purchasing by prayer, or money, or other good works whatever blessings they desired, and expecting nothing

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* Radulphi Glabri Lib. III. c. 8.—Landulf. Senior. Mediolan. Hist. II. 27.—Cæsar. Heisterbac. Dial. Mirac. Dist. V. c. 19.—Trithem. Chron. Hirsaug. ann. 1163.—Guill. de Newburg. Hist. Anglic. Lib. II. c. 13.—Guillel. Nangiac. ann. 1210.—Chron. Turon. ann. 1210.—Radulf. Coggeshall Chron. Anglic. (D. Bouquet. XVIII. 93).—Bernard. Guidon. Practica P. IV. (Doat, XXX.).—S. Bernardi Serm. in Cantic. LXV. c. 13.—Lucæ Tudens. de altera Vita Lib. III. c. 21.—Constitt. Sicular. Lib. I. tit. i.

The story of the young girl of Cologne assumes a somewhat mythical air when we find it repeated by Moneta as occurring in Lombardy (Cantù, Eretici d'Italia, I. 88); but this only enforces the universal tribute to the marvellous constancy of the heretics.

without such payment, it seemed inevitable that the Manichæan, regarding all matter to be the work of Satan, should invoke him for worldly prosperity. The husbandman, for instance, could not pray to God for a plentiful harvest, but must do so to Satan, who was the creator of corn. It is true that there was a sect, known as Luciferani, who were said to worship Satan, regarding him as the brother of God, unjustly banished from heaven, and the dispenser of worldly good, but these, as we shall see hereafter, were a branch of the Brethren of the Free Spirit, probably descended from the Ortlibenses, and there is absolutely no evidence that the Cathari ever wavered in their trust in Christ or diverted their aspirations from the hope of reunion with God.*

Such was the faith whose rapid spread throughout the south of Europe filled the Church with well-grounded dismay; and, however much we may deprecate the means used for its suppression and commiserate those who suffered for conscience' sake, we cannot but admit that the cause of orthodoxy was in this case the cause of progress and civilization. Had Catharism become dominant, or even had it been allowed to exist on equal terms, its influence could not have failed to prove disastrous. Its asceticism with regard to commerce between the sexes, if strictly enforced, could only have led to the extinction of the race, and as this involves a contradiction of nature, it would have probably resulted in lawless concubinage and the destruction of the institution of the family, rather than in the disappearance of the human race and the return of exiled souls to their Creator, which was the *summum bonum* of the true Catharan. Its condemnation of the visible universe and of matter in general as the work of Satan rendered sinful all striving after material improvement, and the conscientious belief in such a creed could only lead man back, in time, to his original condition of savagism. It was not only a revolt against the Church, but a renunciation of man's domination over nature. As such it was doomed from the start, and our only wonder must be that it maintained itself so long and so stubbornly even against a Church which had earned so much of popular detestation. Yet though

* Radulf. Coggeshall l. c.—Pauli Carnotens. Vet. Aganon. Lib. VI. c. iii.—Campana, Storia di San Piero Martire, Lib. II. c. 2, p. 57.—Fragment. adv. Hæret. (Mag. Bib. Pat. XIII. 341).—Cf. Trithem. Chron. Hirsaug. ann. 1315.

the exaltation caused by persecution might keep it alive among the enthusiastic and the discontented, had it obtained the upper hand and maintained its purity it must surely have perished through its fundamental errors. Had it become a dominant faith, moreover, it would have bred a sacerdotal class as privileged as the Catholic priesthood, for the "veneration" offered to the consecrated ministers as the tabernacles of the Holy Ghost shows us what vantage ground they would have had when persecution had given place to power, and carnal human nature had asserted itself in the ambitious men who would have sought its high places.

The soil was probably prepared for its reception by remains of the older Manichæism which, with strange pertinacity, long maintained itself in secret after its public manifestation had been completely suppressed. Muratori has printed a Latin anathema of its doctrines, probably dating about the year 800, which shows that even so late as the ninth century it was still an object of persecution. It was about 970 that John Zimiski transplanted the Paulicians to Thrace, whence they spread with great rapidity through the Balkan peninsula. When the Crusaders under Bohemond of Tarento, in 1097, arrived in Macedonia they learned that the city of Pelagonia was inhabited wholly by heretics, whereupon they paused in their pilgrimage to the Holy Sepulchre long enough to capture the town, to raze it to the earth, and to put all the citizens to the sword. In Dalmatia the Pauliciaus founded the seaport of Dugunthia (Trau), which became the seat of one of their leading episcopates; and in the time of Innocent III. we find them in great numbers throughout the whole Slav territory, making extensive conversions with their customary missionary zeal, and giving that pontiff much concern, in unavailing efforts for their suppression. Numerous as the Cathari of Western Europe became, they always looked to the east of the Adriatic as to the headquarters of their sect. It was there that arose the form of modified Dualism known as Concorrezan, under the influence of the Bogomili, and religious questions were wont to be referred thither for solution.*

* Schmidt, Hist. des Cathares, I. 15–21.—Muratori Anecdota Ambrosiann, II. 112.—Guillel. Tyrii Lib. II. c. 13.—Innocent. PP. III. Regest. II. 176; III. 3; V. 103, 110; VI. 140, 141, 212.—See also the curious letter of a Patarin in Matt. Paris, Hist. Angl. ann. 1243 (Ed. 1644 p. 413).

Their missionary activity made itself felt in the West in a marvellously short period after their settlement in Bulgaria. Our materials for an intimate acquaintance with that age are very scanty, and we must content ourselves with occasional vague indications, but when we see that Gerbert of Aurillac, on his election to the archiepiscopate of Reims in 991, was obliged to utter a profession of faith in which he declared his belief that Satan was wicked of free-will, that the Old and New Testaments were of equal authority, and that marriage and the use of meat were allowable, it shows that Paulician opinions were already well understood and dreaded as far north as Champagne. There seems, indeed, to have been a centre of Catharism there, for in 1100 a peasant named Leutard, at Vertus, was convicted of teaching antisacerdotal doctrines which were evidently of Manichæan origin, and he is discreetly said to have drowned himself in a well when overcome in argument by Bishop Liburnius. The Château of Mont Wimer, in the neighborhood of Vertus, retained its evil reputation as a centre of the heresy. About the same period we have a misty account of a Ravennatese grammarian named Vilgardus who, inspired by demons in the shape of Virgil, Horace, and Juvenal, erected the Latin poets into infallible guides and taught much that was contrary to the faith. His heresy was probably Manichæan; it could not have been simply blind worship of classic writers, for culture was too rare in that age for such belief to become popular, and we are told that Vilgardus had numerous disciples in all the cities in Italy, who, after his condemnation by Peter, Archbishop of Ravenna, were put to death by the sword or at the stake. His heresy likewise spread to Sardinia and Spain, where it was ruthlessly exterminated.*

Shortly after this Cathari were discovered in Aquitaine, where they made many converts, and their heresy spread secretly throughout southern France in spite of the free use of the fagot. Even as far north as Orleans it was discovered, in 1017, under circumstances which aroused general attention. A female missionary from Italy had carried the infection there, and a number of the most prominent clergy of the city fell victims to it. In their proselyting zeal they sent out emissaries, and were discovered. On

* Gerberti Epist. 187.—Radulphi Glabri Lib. II. c. 11, 12.—Epist. Leodiens. ad Lucium PP. II. (Martene Ampliss. Collect. I. 776–8).

hearing of it, King Robert the Pious hastened to Orleans with Queen Constance, and summoned a council of bishops to determine what should be done to meet the novel and threatening danger. The heretics, on being questioned, made no secret of their faith, and boldly declared themselves ready to die rather than to abandon it. The popular feeling was so bitter against them that Robert stationed his queen at the door of the church in which the assembly was held, to preserve them from being torn to pieces by the mob when they were led forth; but Constance shared the passions of her subjects, and as they passed her she smote with a rod one who had been her confessor, and put out his eye. They were taken beyond the walls, and again, in the presence of the blazing pyre, were entreated to recant, but they preferred death, and their unshrinking firmness was the wonder of all spectators. Such converts as they had made elsewhere were diligently hunted up and mercilessly despatched. In 1025 there was a further discovery of the heresy at Liége, but the sectaries proved less stubborn, and were pardoned on professing conversion. About the same time we hear of others, in Lombardy, in the Castle of Monforte, near Asti, who were the objects of active persecution by the neighboring nobles and bishops, and who were burned whenever they could be captured. At length, about 1040, Eriberto, Archbishop of Milan, in visiting his province, came to Asti, and, hearing of these heretics, sent for them. They came willingly enough, including their teacher, Gherardo, and the Countess of Monforte who was of their sect; all boldly professed their faith, and were carried by Eriberto back to Milan, where he hoped to convert them. In place of this, they labored to spread their heresy among those who crowded to see them in prison, until the enraged people, against the will of the archbishop, forcibly dragged them out, and gave them the choice between the cross and the stake. A few of them yielded, but the most part, covering their faces with their hands, boldly leaped into the flames, and sealed their faith with martyrdom. In 1045 we find them in Chalons, when Bishop Roger applied to Bishop Wazo of Liége, asking what he should do with them, and whether the secular arm should be called in to prevent the leaven from corrupting the whole people, to which the good Wazo replied that they should be left to God, "for those whom the world now regards as tares may be garnered by him as wheat when comes the

harvest-time. Those whom we deem the adversaries of God he may make superior to us in heaven." Wazo, indeed, had heard that heretics were commonly detected by their pallor, and, under the delusion that those who were pale must necessarily be heretics, many good Catholics had been slain. By the year 1052 the heresy had extended to Germany, where the pious emperor, Henry the Black, caused a number to be hanged at Goslar. During the rest of the century we hear little more of them, though traces of them occur at Toulouse in 1056 and Béziers in 1062, and about the year 1200 they are described as infecting the whole diocese of Agen.*

In the twelfth century the evil continued unabated in northern France. Count John of Soissons was noted as a protector of heretics, but, in spite of his favor, Lisiard, the bishop, captured several, and gave the first example of what subsequently became common enough — the use of the ordeal to determine heretical guilt. One, at least, of the accused, floated when thrown into exorcised water, and the bishop, not knowing what to do with them, held them in prison while he went to the Council of Beauvais, in 1114, to consult his episcopal brethren. The populace, however, felt no doubts on the subject, and, fearing that they would be deprived of their prey, broke open the jail and burned them during the bishop's absence — a manifestation of holy zeal which greatly pleased the pious chronicler. About the same time Flanders was the scene of another discovery of Catharism. The heresiarch, on being summoned before the Bishop of Cambrai, made no secret of his

* Ademari S. Cibardi Hist. Lib. III. c. 49, 59.—Pauli Carnot. Vet. Aganon. Lib. VI. c. 8.—Frag. Hist. Aquitan. et Frag. Hist. Franc. (Pithœi Hist. Franc. Scriptt. xi. pp. 82, 84).—Radulf. Glabri Hist. III. 8, IV. 2.—Gesta Synod. Aurel. circa 1017 (D'Achery I. 604–6).—Chron. S. Petri Vivi.—Synod. Atrebat. ann. 1025 (Labbe et Coleti XI. 1177, 1178; Hartzheim. Concil. German. III. 68).—Landulf. Sen. Mediol. Hist. II. 27.—Gesta Episcop. Leodiens. cap. 60, 61.—Hermann. Contract. ann. 1052.—Lambert. Hersfeldens. Annal. ann. 1053.—Schmidt, Hist. des Cathares, I. 37.—Radulf. Ardent. T. I. P. ii. Hom. 19.

Bishop Wazo's complaint that pallor was considered a positive proof of heresy was by no means a new one. In the fourth century it was regarded as sufficient to betray the Gnostic and Manichæan asceticism of the Priscillianists (Sulpic. Severi Dial. III. cap. xi.), and Jerome tells us that the orthodox who were pale with fasting and maceration were stigmatized as Manichæans (Hieron. Epist. ad Eustoch. c. 5). To the end of the twelfth century pallor continued to be regarded as a diagnostic symptom of Catharism (P. Cantor. Verb. abbrev. c. 78).

crime; he was stubborn, and was shut up in a hut, which was fired, and he died in prayer. The people must, in this case, have been rather favorably inclined to him, for they allowed his friends to collect his remains, and he was found to have many followers, especially among the craft of weavers. When, about the same period, we see Paschal II. advising the Bishop of Constance that converted heretics were to be welcomed back, we may conclude that error had penetrated even into Switzerland.*

As the century wore on the manifestations of heresy became more numerous. In 1144 at Liége again; in 1153 again in Artois; in 1157 at Reims; in 1163 at Vezelai, where there was a significant concomitant attempt to throw off the temporal jurisdiction of the Abbey of St. Madelaine; about 1170 at Besançon; and in 1180 at Reims again. This latter case has picturesque features recited for us by one of the actors in the drama, Gervais of Tilbury, at that time a young man and a canon of Reims. Riding out one afternoon as part of the retinue of his archbishop, William, his fancy was caught by a pretty girl laboring alone in a vineyard. He lost no time in pressing his suit, but was repulsed with the assertion that if she listened to his addresses she would be irretrievably damned. Virtue so severe as this was a manifest sign of heresy, and the archbishop, coming up, ordered her at once into custody, for he recognized her as necessarily belonging to the Cathari, whom Philip of Flanders had for some time been mercilessly persecuting. Under examination, she gave the name of her instructress, who was forthwith arrested, and who manifested such thorough familiarity with Scripture and such consummate dexterity in defending her faith, that no doubt was felt of her being inspired by Satan. The defeated theologians respited the pair till the next day, when they obstinately refused to yield to threats or promises, and were unanimously condemned to the stake. At this the elder woman laughed, saying, "Foolish and unjust judges, think you to burn me in your fire? I fear not your sentence, and dread not your stake." With that she pulled from her bosom a ball of thread and tossed it out of the window, retaining one end, and calling out, "Take it!" The ball arose in the air, and the old woman followed it through

* Guibert. Noviogent. de Vita sua Lib. III. c. 17.—Schmidt, op. cit. I. 47. Martene Thesaur. I. 336.

the window, and was seen no more. The girl was left, and as she was insensible alike to offers of wealth and threats of punishment, she was duly burned, suffering her torment cheerfully and without a groan. Even in distant Britanny Catharism appeared in 1208, at Nantes and St. Malo.*

In Flanders the heresy seems to have taken deep root among the industrious craftsmen who were already making their cities centres of wealth and progress. In 1162 Henry, Archbishop of Reims, in a visitation of Flanders, which formed part of his province, found Manichæism prevailing there to an alarming extent. In the existing confusion and uncertainty of the canon law as respects the treatment of heresy, he allowed the appeal of those whom he captured to Alexander III., then in Touraine. The pope inclined to mercy, much to the disgust of the archbishop and of his brother, Louis VII., who urged the adoption of rigorous measures, and asserted that the enormous bribe of six hundred marks had been offered for their liberation. If this were so, the heresy must have penetrated to the upper ranks of society. In spite of Alexander's humanity the persecution was sharp enough, however, to drive many of the heretics away, and we shall meet with some of them at Cologne. Twenty years later we find the evil still growing, and Philip I., Count of Flanders, whose zeal for the faith was manifested subsequently by his death in Palestine, busily engaged in persecuting them with the aid of William, Archbishop of Reims. They are described as comprising all classes, nobles and peasants, clerks, soldiers, and mechanics, maids, wives, and widows, and numbers of them were burned without putting an end to the pestilence.†

The Teutonic peoples were comparatively free from the infection, although the propinquity of the Rhinelands to France led to occasional visitations. About 1110 we hear of some heretics at Trèves, who seem to have escaped without punishment, though two among them were priests, and in 1200 eight more were found

* Epist. Leodiens. ad Lucium PP. II. (Martene Ampl. Coll. I. 776–778).—Alex. PP. III. Epist. 2 (ibid. II. 628).—Concil. Remens. ann. 1157.—Hist. Monast. Vezeliacens. Lib. IV. ann. 1167.—Cæsar. Heisterbac. Dial. Mirac. Dist. V. c. 18.—Radulf. Coggeshall ubi sup.—Innocent. PP. III. Regest. IX. 208.

† Alex. PP. III. Epist. 118, 122.—Varior. ad Alex. PP. III. Epist. No. 16.—Annal. Aquicinctens. Monast. ann. 1182, 1183.—Guillel. Nangiac. ann. 1183.

there and burned. In 1145 a number were discovered in Cologne, some of whom were tried; but, during the examination, the impatient populace, fearing to be balked of their spectacle, broke in, carried off the culprits, and burned them out of hand—a fate which they bore not only with patience, but with joyfulness. There must have been a Catharan Church established by this time at Cologne, since one of the sufferers was called their bishop. In 1163 fugitives from the Flemish persecution were found at Cologne—eight men and three women, who had taken refuge in a barn. As they associated with no one, and did not frequent the churches, the Christian neighbors recognized them as heretics, seized them, and took them before the bishop, when they boldly avowed their faith, and suffered burning with the resolute gladness which distinguished the sect. We hear of others, about the same time, burned at Bonn, but this scanty catalogue exhausts the list of German heresies in the twelfth century. Missionaries penetrated the country from Hungary, Italy, and Flanders; they are found in Switzerland, Bavaria, Suabia, and even as far as Saxony, but they made few converts.*

England was likewise little troubled with heresy. It was shortly after the persecutions in Flanders that in 1166 there were discovered thirty rustics—men and women—German in race and speech, probably Flemings, fleeing from the pious zeal of Henry of Reims, who had come and were endeavoring to propagate their errors. They made but one convert, a woman, who deserted them in the hour of trial. The rest stood firm when Henry II., then engaged in his quarrel with Becket, and anxious to prove his fidelity to the Church, called a council of bishops at Oxford, and presided over it, to determine their faith. They openly avowed it, and were condemned to be scourged, branded in the face with a key, and driven forth. The importance which Henry attached to the matter is shown by his devoting, soon after, in the Assizes of Clarendon, an article to the subject, forbidding any one to receive them under penalty of having his house torn down, and

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* Histor. Trevirens. (D'Achery II. 221, 222).—Alberic. Trium Font. Chron. ann. 1200.—Evervini Steinfeld. Epist. (S. Bernardi Epist. 472).—Trithem. Chron. Hirsaug. ann. 1163.—Ecberti Schonaug. contra Catharos Serm. VIII.—Schmidt, I. 94–96.

requiring all sheriffs to swear to the observance of the law, and to make all stewards of the barons and all knights and franc-tenants swear likewise—the first secular law on the subject in any statute-book since the fall of Rome. I have already mentioned the steadfastness with which the unfortunates endured their martyrdom. Stripped to the waist and soundly scourged, and branded on the forehead, they were sent adrift shelterless in the winter-time, and speedily, one by one, they miserably perished. England was not hospitable to heresy, and we hear little more of it there. Towards the close of the century some heretics were found in the province of York, and early in the next century a few were discovered in London, and one was burned; but practically the orthodoxy of England was unsullied until the rise of Wickliffe.*

Italy, as the channel through which the Bulgarian heresy passed to the West, was naturally deeply infected. Milan had the reputation of being its centre, whence missionaries were despatched to other lands, whither pilgrims resorted from the western kingdoms, and where originated the sinister term of Patarins, by which the Cathari became generally known to the people of Europe.† Yet the popes, involved in a death-struggle

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* Guillel. de Newburg Hist. Anglic. Lib. II. c. 13.—Matt. Paris. Hist. Anglic. ann. 1166 (p. 74).—Radulf. de Diceto ann. 1166.—Radulf. Coggeshall (D. Bouquet, XVIII. 92).—Assize of Clarendon, Art. 21.—Petri Blesens. Epist. 113.—Schmidt, I. 99.

† The nomenclature of the heresy is quite extensive. The sectaries called themselves Cathari, or the pure. The origin of the term Patarin has been the subject of considerable dispute, but there would seem to be no doubt that it arose in Milan about the middle of the eleventh century, during the civil wars resulting from the papal efforts to enforce celibacy on the Milanese married clergy. In the Romance dialects *pates* signifies old linen; rag-pickers in Lombardy were called Patari, and the quarter inhabited by them in Milan was known, even up to the last century, as Pattaria, or Contrada de' Pattari. Even to-day there are in Italian cities quarters or streets of that name (Schmidt, II. 279). In the eleventh-century quarrels the papalists held secret meetings in the Pattaria, and were contemptuously designated by their antagonists as Patarins—a name which was finally recognized and accepted by them (Arnulf. Mediolanens. Lib. III. cap. 11; Lib. IV. c. 6, 11.—Landulf. Jun. c. 1.—Willelmi Clusiens. vita Benedicti Abbat. Clusiens. c. 33.—Benzon. Comm. de Reb. Henrici IV. Lib. VII. c. 2). As the papal condemnation of clerical marriage was stigmatized as Manichæan, and as the papalists were supported by the secret heretics, followers of Gherardo

with the empire, and frequently wanderers abroad, paid little attention to them during the first half of the twelfth century, and the indications which have reached us of their existence are but scanty, though sufficient to show that they were numerous and aggressive in the consciousness of growing strength. Thus at Orvieto, in 1125, they actually obtained the mastery for a while, but after a bloody struggle were subdued by the Catholics. In 1150 the effort was resumed by Diotesalvi of Florence and Gherardo of Massano; but the bishop succeeded in expelling them, when they were replaced by two women missionaries—Milita of Monte-Meano, and Giulitta of Florence—whose piety and charity won the esteem of the clergy and sympathy of the people, until the heresy was discovered, in 1163, when many heretics were burned and hanged, and the rest exiled. Yet soon afterwards Peter the Lombard undertook to propagate it again, and formed

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di Monforte, the name was not unnaturally transferred to the Cathari in Lombardy, when they became publicly known, and it spread from there throughout Europe. In Italy the word Cathari, vulgarized into Gazzari, was also commonly used, and came gradually to designate all heretics; the officials of the Inquisition were nicknamed Cazzagazzari (Cathari hunters), and even accepted the designation (Muratori Antiq. Diss. LX. Tom. XII. pp. 510, 516), and the word is still seen in the German Ketzer. The Cathari, from their Bulgarian origin, were also known as Bulgari, Bugari, Bulgri, Bugres (Matt. Paris. ann. 1238)—a word which has been retained with an infamous signification in the English, French, and Italian vernaculars. We have seen above that from the number of weavers among them they were also known in France as Texerant, or Textores (cf. Doat, XXIII. 209–10). The term Speronistæ was derived from Robert de Sperone, bishop of the French Cathari in Italy (Schmidt, II. 282). The Crusaders who met the Paulicians (Παυλικανοί) in the East brought home the word and called them Publicani, or Popelicans. More local designations were Piphili or Pifres (Eebert. Schonaug. Serm. I. c. 1), Telonarii or Deonarii (D'Achery, II. 560), and Boni Homines, or Bonshommes. The term Albigenses, from the district of Albi, where they were numerous, was first employed by Geoffroy of Vigeois, in 1181 (Gaufridi Vosens. Chron. ann. 1181), and became generally used during the crusades against Raymond of Toulouse.

The various sects into which the Cathari were divided were further known by special names, as Albanenses, Concorrezenses, Bajolcnses, etc. (Rainerii Saccon. Summa. Cf. Muratori Dissert. LX.).

In the official language of the Inquisition of the thirteenth century, "heretic" always means Catharan, while the Vaudois are specifically designated as such. The accused was interrogated "Super facto hæresis vel Valdesiæ."

a numerous community, embracing many nobles, and towards the close of the century San Pietro di Parenzo earned his canonization by his severe measures of repression, in retaliation for which the heretics took his life in 1199. This may be regarded as an example of the struggle which was going on in many Italian cities, showing the stubborn vitality of the heresy. In the political condition of Italy, subdivided into innumerable virtually self-governing communities, torn by mutual quarrels and civic strife, general measures of repression were almost impossible. Heresy, suppressed by spasmodic exertion in one city, was always flourishing elsewhere, and ready to furnish new missionaries and new martyrs as soon as the storm had passed. Through all these vicissitudes its growth was constant. All the northern half of the peninsula, from the Alps to the Patrimony of St. Peter, was honeycombed with it, and even as far south as Calabria it was to be found. When Innocent III., in 1198, ascended the papal throne he at once commenced active proceedings for its extermination, and the obstinacy of the heretics may be estimated by the struggle in Viterbo, a city subject to the temporal as well as spiritual jurisdiction of the papacy. In March, 1199, Innocent, stimulated by the increase of heresy and the audacity of its public display, wrote to the Viterbians, renewing and sharpening the penalties against all who received or favored heretics. Yet, in spite of this, in 1205, the heretics carried the municipal election and elected as chamberlain a heretic under excommunication. Innocent's indignation was boundless. If the elements, he told the citizens, should conspire to destroy them, without sparing age or sex, leaving their memory an eternal shame, the punishment would be inadequate. He ordered obedience to be refused to the newly-elected municipality, which was to be deposed; that the bishop, who had been ejected, should be received back, that the laws against heresy should be enforced, and that if all this was not done within fifteen days the people of the surrounding towns and castles were commanded to take up arms and make active war upon the rebellious city. Even this was insufficient. Two years later, in February, 1207, there were fresh troubles, and it was not until June of that year, when Innocent himself came to Viterbo, and all the Patarins fled at his approach, that he was able to purify the town by tearing down all the houses of the heretics and confiscating all their property. This

he followed up in September with a decree addressed to all the faithful in the Patrimony of St. Peter, ordering measures of increasing severity to be inscribed in the local laws of every community, and all podestà and other officials to be sworn to their enforcement under heavy penalties. Proceedings of more or less rigor commanded in Milan, Ferrara, Verona, Rimini, Florence, Prato, Faenza, Piacenza, and Treviso show the extent of the evil, the difficulty of restraining it, and the encouragement given to heresy by the scandals of the clergy.*

It was in southern France, however, that the struggle was deadliest and the battle was fought to its bitter end. There the soil, as we have seen, was the most favorable, and the growth of heresy the rankest. Early in the century we find open resistance at Albi, when the bishop, Sicard, aided by the Abbot of Castres, endeavored to imprison obstinate heretics and was baffled by the people, leading to a dangerous quarrel between the civil and ecclesiastical jurisdictions. About the same time, Amelius of Toulouse tried milder methods by calling in the aid of the celebrated Robert d'Arbrissel, whose preaching, we are told, was rewarded with many conversions. In 1119 Calixtus II. presided over a council at Toulouse which condemned the Manichæan heresy, but was forced to content itself with sentencing the heretics to expulsion from the Church. It is perhaps remarkable that when Innocent II., driven from Rome by the antipope Pier-Leone, was wandering through France and held a great council at Reims in 1131, no measures were taken for the repression of heresy; but when restored to Rome he seems to have awakened to the necessity of action, and in the Second General Lateran Council, in 1139, he issued a decisive decree which is interesting as the earliest example of the interpellation of the secular arm. Not only were the Cathari condemned and expelled from the Church, but the temporal authorities were ordered to coerce them and all those who favored or defended them. This policy was followed up in 1148 by the Council

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* Schmidt, I. 63-5.—Muratori Antiq. Dissert. LX. (p. 462-3).—Raynald. Annal. ann. 1199 No. 23-5; ann. 1205 No. 67; 1207 No. 3.—Lami, Antichità Toscane, p. 491.—Innocent. PP. III. Regest. I. 298; II. 1, 50; V. 33; VII. 37; VIII. 85, 105; IX. 7, 8, 18, 19, 166-9, 204, 213, 258; X. 54, 105, 130; XV. 189; Gesta cxxiii.

of Reims, which forbade any one to receive or maintain on his lands the heretics dwelling in Gascony, Provence, and elsewhere, and not to afford them shelter in passing or give them a refuge, under pain of excommunication and interdict.*

When Alexander III. was exiled from Rome by Frederic Barbarossa and his antipope Victor, and came to France, he called, in 1163, a great council at Tours. It was an imposing assemblage, comprising seventeen cardinals, one hundred and twenty-four bishops (including Thomas Becket) and hundreds of abbots, besides hosts of other ecclesiastics and a vast number of laymen. This august body, after performing its first duty of anathematizing the rival pope, proceeded to deplore the heresy which, arising in the Toulousain, had spread like a cancer throughout Gascony, deeply infecting the faithful everywhere. The prelates of those regions were ordered to be vigilant in suppressing it by anathematizing all who should permit heretics to dwell on their lands or should hold intercourse with them, in buying or selling, so that, being cut off from human society, they might be compelled to abandon their errors. All secular princes moreover were commanded to imprison them and to confiscate their property. By this time, it is evident that heresy was no longer concealed, but displayed itself openly and defiantly; and the futility of the papal commands at Tours to cut heretics off from human intercourse was shown two years later at the council, or rather colloquy, of Lombers near Albi. This was a public disputation between representatives of orthodoxy and the *bos-homes*, *bos Crestias*, or "good men," as they styled themselves, before judges agreed upon by both sides, in the presence of Pons, Archbishop of Narbonne, and sundry bishops, besides the most powerful nobles of the region—Constance, sister of King Louis VII. and wife of Raymond of Toulouse, Trencavel of Béziers, Sicard of Lautrec, and others. Nearly all of the population of Lombers and Albi assembled, and the proceedings were evidently regarded as of the greatest public interest and importance. A full report of the discussion, including the decision against the Cathari, has reached us from several orthodox sources, but the

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* Schmidt I. 38.—Chron. Episc. Albigens. (D'Achery III. 572).—Udalr. Babenb. Cod. II. 303.—Concil. Tolosan. ann. 1119 c. 3.—Concil. Lateran. II. ann. 1139 c. 23.—Concil. Remens. ann. 1148 c. 18.

only interest which the affair has is its marked significance in showing that heresy had fairly outgrown all the means of repression at command of the local churches, that reason had to be appealed to in place of force, that heretics had no scruple in manifesting and declaring themselves, and that the Catholic disputants had to submit to their demands in citing only the New Testament as an authority. The powerlessness of the Church was still further exhibited in the fact that the council, after its argumentative triumph, was obliged to content itself with simply ordering the nobles of Lombers no longer to protect the heretics. What satisfaction Pons of Narbonne found the next year in confirming the conclusions of the Council of Lombers, in a council held at Cabestaing, it would be difficult to define. So great was the prevailing demoralization that when some monks of the strict Cistercian order left their monastery of Villemagne near Agde, and publicly took wives, he was unable to punish this gross infraction of their vows, and the interposition of Alexander III. was invoked—probably without result.*

Evidently the Church was powerless. When it could condemn the doctrines and not the persons of heretics it confessed to the world that it possessed no machinery capable of dealing with opposition on a scale of such magnitude. The nobles and the people were indisposed to do its bidding, and without their aid the fulmination of its anathema was an empty ceremony. The Cathari saw this plainly, and within two years of the Council of Lombers they dared, in 1167, to hold a council of their own at St. Felix de Caraman near Toulouse. Their highest dignitary, Bishop Nicetas, came from Constantinople to preside, with deputies from Lombardy; the French Church was strengthened against the modified Dualism of the Concorrezan school; bishops were elected for the vacant sees of Toulouse, Val d'Aran, Carcassonne, Albi, and France north of the Loire, the latter being Robert de Sperone, subsequently a refugee in Lombardy, where he gave his name to the sect of the Speronistæ; commissioners were named to settle a disputed boundary between the sees of Toulouse and Carcassonne; in

* Concil. Turon. ann. 1163 c. 4.—Concil. Lombariense ann. 1165 (Harduin. VI. II. 1643–52).—Roger de Hoveden. ann. 1176.—D. Vaissette, Hist. Gén. de Languedoc, III. 4—Löwenfeld, Epistt. Pont. Roman. inedd. No. 247 (Lipsiæ, 1885).

short, the business was that of an established and independent Church, which looked upon itself as destined to supersede the Church of Rome. Based upon the affection and reverence of the people, which Rome had forfeited, it might well look forward to ultimate supremacy.*

In fact, its progress during the next ten years was such as to justify the most enthusiastic hopes. Raymond of Toulouse, whose power was virtually that of an independent sovereign, adhered to Frederic Barbarossa, acknowledged the antipope Victor and his successors, and cared nothing for Alexander III., who was received by the rest of France; and the Church, distracted by the schism, could offer little opposition to the development of heresy. In 1177, however, Alexander triumphed and received the submission of Frederic. Raymond necessarily followed his suzerain (a large portion of his territories was subject to the empire) and suddenly awoke to the necessity of arresting the progress of heresy. Powerful as he was, he felt himself unequal to the task. The burgesses of his cities, independent and intractable, were for the most part Cathari. A large portion of his knights and gentlemen were secretly or avowedly protectors of heresy; the common people throughout his dominions despised the clergy and honored the heretics. When a heretic preached they crowded to listen and applaud; when a Catholic assumed the rare function of religious instruction they jeered at him and asked him what he had to do with proclaiming the Word of God. In a state of chronic war with powerful vassals and more powerful neighbors, like the kings of Aragon and England, it was manifestly impossible for Raymond to undertake the extermination of a half or more than half of his subjects. Whether he was sincere in his desire to suppress heresy is doubtful, but in any case his situation is interesting, as an illustration of the difficulties which surrounded his son and grandson, and led to the Crusades and the extinction of his house. Whatever his motives, however, Raymond V. craftily placed himself on the right side. He called upon the king, Louis VII., to come to his assistance, and, remembering how St. Bernard had, in the previous generation, aided to suppress the Henricians, he applied to Bernard's successor, Henry of Clairvaux, head of the great Cis-

* D. Bouquet, XIV. 448–50.—D. Vaissette, III. 4, 537.

tercian order, to support his appeal. He described the condition of religion in his dominions as desperate. The priesthood had allowed itself to be seduced; the churches were abandoned and falling into ruin; the sacraments were despised and no longer in use; Dualism had prevailed over Trinitarianism. Anxious as he was to be the minister of the vengeance of God, he was powerless, for his principal subjects had embraced the false faith, together with the better part of his people. Spiritual punishment no longer had any terror, and force alone would be of service. If the king would come, Raymond promised personally to conduct him through the land and point out the heretics to be chastised, and with their united efforts success could hardly fail to crown the good work.*

Henry II. of England, who as Duke of Aquitaine was nearly concerned in the matter, had just concluded a peace with Louis of France, and, free from the preoccupation of mutual war, the monarchs conferred together with the intention of proceeding in person with a heavy force in response to Raymond's appeal. The Abbot of Clairvaux also wrote to Alexander III., with more earnestness than courtesy, stimulating him to do his duty and put down heresy as he had quelled schism; the two kings, he said, were debating as to the measures to be taken, and no remissness of the spiritual power must serve as excuse for lack of energy on the part of the temporal: in Languedoc, priest and people were alike infected, or rather the contagion proceeded from the shepherds to the flock; the least the pope could do was to instruct his legate, Cardinal Peter of St. Chrysogono, to remain longer in France and to attack the heretics. During these preliminaries the zeal of the monarchs had cooled, and in place of marching at the head of armies they contented themselves with sending a mission consisting of the cardinal legate, the archbishops of Narbonne and Bourges, Henry of Clairvaux and other prelates, at the same time urging the Count of Toulouse, the Viscount of Turenne, and other nobles to aid them.†

If Raymond was sincere, this was not the assistance he required. The kings had resolved to depend upon the spiritual

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* Roger. Hoveden. Annal. ann. 1178.—D. Vaissette, III. 46–7.

† Benedict. Petroburg. Vit. Henrici. II. ann. 1178.—Alexander. PP. III. Epist. 395 (D. Bouquet, XV. 959–960).

sword, and he was too shrewd to exhaust his strength in an unaided struggle with his subjects, especially as a menacing league was then forming against him by Alonso II. of Aragon with the nobles of Narbonne, Nîmes, Montpellier, and Carcassonne. While, therefore, he protected the missionary prelates, he made no pretence of drawing the carnal sword. When they entered Toulouse the heretics crowded around them jeering and calling them hypocrites, apostates, and other opprobrious names; and Henry of Clairvaux consoles himself for the insignificant positive results of the mission with the reflection that if it had been postponed until three years later, they would not have found a single Catholic in the city. Lists of heretics, interminable in length, were made out for them, at the head of which stood Pierre Mauran, an old man of great wealth and influence, and so universally respected by his co-religionists that he was popularly known as John the Evangelist. He was selected to be made an example. After many tergiversations he was convicted of heresy, when, to save his confiscated property, he agreed to recant and undergo such penance as might be assigned to him. Stripped to the waist, with the Bishop of Toulouse and the Abbot of St. Sernin busily scourging him on either side, he was led through an immense crowd to the high altar of the Cathedral of St. Stephen, where, for the good of his soul, he was ordered to undertake a three years' pilgrimage to the Holy Land, to be daily scourged through the streets of Toulouse until his departure, to make restitution of all Church lands occupied by him and of all moneys acquired by usury, and to pay to the count five hundred pounds of silver in redemption of his forfeited property. This resolute beginning produced the desired effect, and multitudes of Cathari hastened to make their peace with the Church; but how little real result it had is shown by the fact that when Mauran returned from Palestine his fellow-citizens thrice honored him with election to the office of capitoul, and his family remained bitterly anti-Catholic. In 1234 an old man named Mauran was condemned as a "perfected" heretic, and in 1235 another Mauran, one of the capitouls, was excommunicated for impeding the introduction of the Inquisition. The enormous fine for the benefit of the Count of Toulouse was well calculated to excite the religious fervor of that potentate, but even that stimulus failed to arouse him to the decisive action which he doubtless felt to be im-

practicable. When the legate desired to confute two heresiarchs, Raymond de Baimiac and Bernard Raymond, the Catharan bishops of Val d'Aran and Toulouse, he was obliged to give them a safe-conduct before they would present themselves before him, and to content himself afterwards with excommunicating them; and when proceedings were had against the powerful Roger Trencavel, Viscount of Béziers, for keeping the Bishop of Albi in prison, excommunication was likewise the only penalty, nor do we read that the captured prelate was liberated. The mission so pompously heralded returned to France, and we can readily believe the statement of contemporary chroniclers that it had accomplished little or nothing. It is true that Raymond of Toulouse and his nobles had been induced to issue an edict banishing all heretics, but this remained a dead letter.*

It was in September of the same year, 1178, that Alexander III. published the call for the assembling of the Third Council of Lateran, and an ominous allusion in it to the tares which choke the wheat and must be pulled up by the roots shows that he recognized the futility of all measures heretofore adopted to check the daily growing power of heresy. Accordingly, when the council met, in 1179, it bemoaned the damnable perversity of the Patarins, who publicly seduced the faithful throughout Gascony, the Albigeois, and the Toulousain; it commended the employment of force by the secular power to compel men to their own salvation; it anathematized, as usual, the heretics and those who sheltered and protected them, and it included among heretics the Cotereaux, Brabançons, Aragonese, Navarrese, Basques, and Triaverdins, of whom more anon. It then proceeded to take a step of much significance in proclaiming a crusade against all these enemies of the Church—the first experiment of a resort to this weapon against Christians, which afterwards became so common, and gave the Church in its private quarrels the services of a warlike militia in every land, ever ready to be mobilized. Two years' indulgence

* Roger. Hovedens. Annal. ann. 1178.—Schmidt, I. 78.—Martene Thesaur. I. 992.—Rob. de Monte Chron. ann. 1178.—Benedict. Petroburg. Vit. Henrici II. ann. 1178.

Roger Trencavel of Béziers was no heretic (see Vaissette, III. 49) and his treatment of the Bishop of Albi and disregard of the missionary bishops shows the complete contempt into which the Church had fallen, even among the faithful.

was promised to all who should take up arms in the holy cause; they were received under the protection of the Church, and those who should fall were assured of eternal salvation. Among the restless and sinful warriors of the time it was not difficult to raise an army, serving without pay, on terms like these.*

Immediately on his return from the council Pons, Archbishop of Narbonne, made haste to publish this decree, with all its anathemas and interdicts, and he included in its terms those who exacted new and unaccustomed tolls from travellers—a rapidly growing extortion of the feudal nobles which we shall constantly see reappear, like the Cotereaux, in the Albigensian quarrels. Henry of Clairvaux had refused the troublesome see of Toulouse, which had become vacant shortly after his mission thither in 1178, but had accepted the cardinalate of Albano, and he was forthwith sent as papal legate to preach and lead the crusade. His eloquence enabled him to raise a considerable force of horse and foot, with which, in 1181, he fell upon the territories of the Viscount of Béziers and laid siege to the stronghold of Lavaur where the Viscountess Adelaide, daughter of Raymond of Toulouse, and the leading Patarins had taken refuge. We are told that Lavaur was captured through a miracle, and that in various parts of France consecrated wafers dropping blood announced the success of the Christian arms. Roger of Béziers hastened to make his submission and swear no longer to protect heresy. Raymond de Baimiac and Bernard Raymond, the Catharan bishops, who were taken prisoners, renounced their heresy and were rewarded with prebends in two churches of Toulouse. Many other heretics gave in their submission, but returned to the false faith as soon as the danger was past. The short term for which the Crusaders had enlisted expired; the army disbanded itself, and the next year the cardinal-legate went back to Rome, having accomplished, virtually, nothing except to increase the mutual exasperation by the devastation of the country through which his troops had passed. Raymond of Toulouse, involved in desperate war with the King of Aragon, seems to have preserved complete indifference as to this expedition, taking no part in it on either side.†

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* Concil. Lateran. III. ann. 1179 c. 27.

† Gaufridi Vosiens. Chron. ann. 1181.—Roberti Autissiodor. Chron. ann.

The Cotereaux and Brabançons, whom we have seen included with the Patarins in the denunciations of the Council of Lateran, are a feature of the period whose significance deserves a passing notice. We shall find them constantly reappearing, and their maintenance was one of the sins which gained for Raymond VI. of Toulouse almost as much hostility from the Church as the support of heresy which was imputed to him. They were freebooters, the precursors of the dreaded Free Companies which, especially during the fourteenth century, were the terror of all peaceable men, inflicting incalculable damage to the advancement of civilization. Their various names of Brabançons, Hainaulters, Catalans, Aragonese, Navarrese, Basques, etc., show how widespread was the evil and how every province ascribed the hated bands to its neighbors; while the more familiar terms of Brigandi, Pilardi, Ruptarii, Mainatae (mesnie), etc., express their function and occupation; and the names of Cotarelli, Palearii, Triaverdins, Asperes, Vales, have afforded ample field for fanciful etymology. They consisted of the idle and dissipated, peasants who had been hopelessly ruined in the increasing desolation of war, fugitives from serfdom, outlaws, escaped criminals, worthless ecclesiastics, outcast monks, and in general the scum which society threw upon the surface in its constant turmoil. They preyed upon the community in bands of varying size, and their swords were ever at the service of the nobles who would grant them pay or plunder when a military force was needed for a longer term than the short campaign prescribed as due from the vassal to his feudal lord. The chronicles of the time are full of lamentations over their incessant devastations; and it is significant of the relations between the Church and the community that the ecclesiastical annalists insist that their blows ever fell heavier on church and monastery than on the castle of the seigneur or the cottage of the peasant. They ridiculed the priests as singers, and it was one of their savage sports to beat them to death while mockingly begging their intercession—"Sing for us, you singer, sing for us;" and the culmination of their irreverent sacrilege was seen in their casting out and trampling on the holy wafers whose precious pyxes they

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1181.—Alberic. Trium Font. Chron. ann. 1181.—Guillel. Nangiac. ann. 1181.—Chron. Turonens. ann. 1181.—D. Vaissette, III. 57.—Guillel. de Pod.-Laurent. c. 2.

eagerly seized. They were popularly classed as heretics, and were accused of openly denying the existence of God. In 1181 Bishop Stephen of Tournay feelingly describes his terror while traversing, on a mission from the king, through the Toulousain, then recently the seat of war between the Count of Toulouse and the King of Aragon, where deserted solitudes revealed nothing but ruined churches and desolated villages, and where he was ever in expectation of attack, from robbers or from the more dreaded bands of Cotereaux. It was probably a result of the crusade decreed against them, in common with the Patarins, that a concerted attack was soon after made upon the bandits in central France. They were driven together, and in July, 1183, at Châteaudun, a signal victory over them was won, the number of the slain brigands being variously estimated at from six thousand to ten thousand five hundred and twenty-five. An immense booty was obtained, among which may perhaps be reckoned fifteen hundred strumpets, who accompanied the robber host. The victors, who had assumed the name of Paciferi in token of their peaceful object, were not merciful. Fifteen days later we hear of the capture of one of the routier captains with fifteen hundred men, who were all summarily hanged; and about the same time of eighty more, who were caught and blinded. In spite of these ruthless measures, the evil continued unabated. The causes which produced it remained as active as ever, and the services of the reckless and Godless mercenaries continued useful to the great feudatories involved in endless war with their neighbors.*

The admitted failure of the crusade of 1181 seems to have rendered the Church hopeless, for the time, of making headway against heresy. For a quarter of a century it was allowed to develop in comparative toleration throughout the territories of Gascony, Languedoc, and Provence. It is true that the decree of Lucius III., issued at Verona in 1184, is important as attempting the foundation of an organized Inquisition, but it worked no immediate effect.

* Stephani Tornacens. Epist. 92.—Gaufridi Vosiens. Chron. ann. 1183.—Gualt. Mapes de Nugis Curialium Dist. I. c. xxix.—Guillel. Nangiac. ann. 1183.—Rigord. de Gest. Phil. Aug. ann. 1183.—Guillel. Brito de Gest. Phil. Aug. ann. 1183.—Ejusd. Philippidos Lib. I. 726–45.—Grandes Chroniques, ann. 1183.—Du Cange s. vv. *Cotarellus*, *Palearii*.

It is true that in 1195 another papal legate, Michael, held a provincial council at Montpellier, where he commanded the enforcement of the Lateran canons on all heretics and Mainatæ, or brigands, whose property was to be confiscated and whose persons reduced to slavery;* but all this fell dead upon the indifference of the nobles, who, involved in perpetual war with each other, preferred to risk the anathemas of the Church rather than to complicate their troubles by attempting the extermination of a majority of their subjects at the behest of a hierarchy which no longer inspired respect or reverence. Perhaps, also, the fall of Jernsalem, in 1186, in arousing an unprecedented fervor of fanaticism, directed it towards Palestine, and left little for the vindication of the faith nearer home. Be this as it may, no effective persecution was undertaken until the vigorous ability of Innocent III., after vainly trying milder measures, organized overwhelming war against heresy. During this interval the Poor Men of Lyons arose, and were forced to make common cause with the Cathari; the proselyting zeal which had been so successful in secrecy and tribulation had free scope for its development, and had no effective antagonism to dread from a negligent and disheartened clergy. The heretics preached and made converts, while the priests were glad if they could save a fraction of their tithes and revenues from rapacious nobles and rebellious or indifferent parishioners. Heresy throve accordingly. Innocent III. admitted the humiliating fact that the heretics were allowed to preach and teach and make converts in public, and that unless speedy measures were taken for their suppression there was danger that the infection would spread to the whole Church. William of Tudela says that the heretics possessed the Albigeois, the Carcasses, and the Lauragais, and that to describe them as numerous throughout the whole district from Béziers to Bordeaux is not saying enough. Walter Mapes asserts that there were none of them in Britanny, but that they abounded in Anjou, while in Aquitaine and Burgundy their number was infinite. William of Puy-Laurens assures us that Satan possessed in peace the greater part of southern France; the clergy were so despised that they were accustomed to conceal the tonsure through very shame, and the bishops were obliged to admit to holy orders whoever was

* Lucii PP. III. Epist. 171.—Concil. Monspeliens. ann. 1195.

willing to assume them; the whole land, under a curse, produced nothing but thorns and thistles, ravishers and bandits, robbers, murderers, adulterers, and usurers. Cæsarius of Heisterbach declares that the Albigensian errors increased so rapidly that they soon infected a thousand cities, and he believes that if they had not been repressed by the sword of the faithful the whole of Europe would have been corrupted. A German inquisitor informs us that in Lombardy, Provence, and other regions there were more schools of heresy than of orthodox theology, with more scholars; that they disputed publicly, and summoned the people to public debates; that they preached in the market-places, the fields, the houses; and that there were none who dared to interfere with them, owing to the multitude and power of their protectors. As we have seen, they were regularly organized in dioceses; they had their educational establishments for the training of women as well as men; and, at least in one instance, all the nuns of a convent embraced Catharism without quitting the house or the habit of their order.* Such was the position to which corruption had reduced the Church. Intent upon the acquisition of temporal power, it had well-nigh abandoned its spiritual duties; and its empire, which rested on spiritual foundations, was crumbling with their decay, and threatening to pass away like an unsubstantial vision. There have been few crises in the history of the Church more dangerous than that which Lothario Conti, when he assumed the triple crown at the early age of thirty-eight, was called upon to meet. In his consecration sermon he announced that one of his principal duties would be the destruction of heresy, and of this he never lost sight to the end, amid his endless conflicts with emperors and princes.† It is fortunate for civilization that he possessed the qualifications which enabled him to guide the shattered bark of St. Peter through the tempest and among the rocks—if not always wisely, yet with a resolute spirit, an unswerving purpose, and an unfailing trust that accomplished his mission in the end.

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* Innocent. PP. III. Serm. de Tempore XII.—Guillem. de Tudela, c. ii.—Gualt. Mapes de Nugis Curialium Dist. I. c. XXX.—Guillel. de Pod.-Laurent. Proœm.; cf. cap. 3, 4.—Cæsar. Heisterbac. Dist. v. c. 21.—Stephani Tornacens. Epist. 92.—Anon. Passaviens. (Bib. Mag. Pat. XIII. 299).—Schmidt, I. 200.

† Innocent. PP. III. Serm. de Diversis III.

CHAPTER IV.

THE ALBIGENSIAN CRUSADES.

The Church admitted that it had brought upon itself the dangers which threatened it—that the alarming progress of heresy was caused and fostered by clerical negligence and corruption. In his opening address to the great Lateran Council, Innocent III. had no scruple in declaring to the assembled fathers: "The corruption of the people has its chief source in the clergy. From this arise the evils of Christendom: faith perishes, religion is defaced, liberty is restricted, justice is trodden under foot, the heretics multiply, the schismatics are emboldened, the faithless grow strong, the Saracens are victorious;" and after the futile attempt of the council to strike at the root of the evil, Honorius III., in admitting its failure, repeated the assertion. In fact this was an axiom which none were so hardy as to deny, yet when, in 1204, the legates whom Innocent had sent to oppose the Albigenses appealed to him for aid against prelates whom they had failed to coerce, and whose infamy of life gave scandal to the faithful and an irresistible argument to the heretic, Innocent curtly bade them attend to the object of their mission and not allow themselves to be diverted by less important matters. The reply fairly indicates the policy of the Church. Thoroughly to cleanse the Augean stable was a task from which even Innocent's fearless spirit might well shrink. It seemed an easier and more hopeful plan to crush revolt with fire and sword.*

We have seen how promptly and persistently Innocent took in hand the heretics of Italy, nor were his dealings with those

* Innocent. PP. III. Serm. de Diversis VI.; Regest. VII. 185, X. 54.—Honor. PP. III. Epist. ad Archiep. Bituricens. (Martene Ampl. Collect. I. 1149-51).

In 1250 Robert Grosseteste, Bishop of Lincoln, told Innocent IV. at Lyons that the corruption of the priesthood was the cause of the heresies which afflicted the Church (Fascic. Rer. Expetend. et Fugiend. II. 251. Ed. 1690).

beyond the Alps less active and decisive, though they manifest an evident desire to do exact justice, and not to confound the innocent with the guilty. The Nivernois had long been noted as a deeply infected district. The troubles occasioned by Catharism at Vezelai in 1167 have already been alluded to, and the sharp repression of heresy then had put an end to its outward manifestation without destroying its germs. Towards the end of the century Bishop Hugues of Auxerre earned the title of the Hammer of Heretics by his energy and success in persecution; and though he was likewise noted for avarice, usurpation of illegal rights, oppression of his flock, and ferocity in ruining those who had offended him, his zeal for the faith covered the multitude of sins, hardly needing the urgency with which, in 1204, Innocent commanded him to clear his diocese of heresy. By the pitiless employment of confiscation, exile, and the stake he labored to purify it, but the evil was stubborn and constantly reappeared. The chief propagator was an anchorite named Terric who dwelt in a cavern near Corbigny, where he was finally surprised and burned, through the exertions of Foulques de Neuilly, but the infection was not confined to the poor and humble. In 1199 we find the Dean of Nevers and the Abbot of St. Martin of Nevers appealing to Innocent from prosecutions commenced against them, and the answers of the pope show both his anxious desire that they should have full opportunity to prove their innocence, and the uncertainty and cumbrous nature of the ecclesiastical procedure of the time. In 1201 Bishop Hugues was more successful with a criminal of equal importance, the knight, Everard of Châteauneuf, to whom Count Hervey of Nevers had intrusted the stewardship of his territories. In this case, the Legate Octavian called a council in Paris, comprising many bishops and theologians, for his trial; he was convicted principally on the testimony of Bishop Hugues and was handed over to the secular arm and burned, after a respite for the purpose of rendering an account of his office to Count Hervey. His nephew, Thierry, an equally hardened heretic, escaped to Toulouse, where five years later we find him a bishop among the Albigenses, who were gratified in having a Frenchman as an accomplice. La Charité was an especially active centre of heresy in the Nivernois, and from 1202 to 1208 there are frequent appeals to Innocent from its citizens, show-

ing that Rome was regarded as more indulgent than the local courts; and the papal decisions continue to manifest a laudable desire to prevent injustice. All this proved inefficient, and it was one of the first places to which, in 1233, an inquisitor was sent. At Troyes, in 1200, five male and three female Catharans were burned; and at Braisne, in 1204, a number were similarly put to death, among whom was Nicholas, the most renowned painter in France.*

In 1199 another danger threatened the Church in Metz, where Waldensian sectaries were found in possession of French translations of the New Testament, the Psalter, Job, and other portions of Scripture, which they contumaciously studied with unwearied perseverance and refused to abandon at the command of their parish priests; nay, they were hardy enough to assert that they knew more of Holy Writ than their pastors, and that they had a right to the consolation which they found in its perusal. The case was somewhat puzzling, since the Church as yet had had no occasion to interdict formally the popular reading of the Bible, and these poor folk were not accused of any definite heretical tenets. Innocent, therefore, when applied to, admitted that there was nothing condemnable in the desire to understand Scripture, but he added that such is its profundity that even the learned and wise are unequal to its comprehension, and consequently it is far beyond the grasp of the simple and illiterate. The people of Metz were therefore exhorted to abandon these reprehensible practices and return to a proper degree of respect for their pastors if they wished pardon for their sins, with a significant threat of compulsion in case of further obstinacy; and when the simple and illiterate folk proved deaf to this command, a commission was sent to the Abbot of Citeaux and two others, to proceed to Metz and put a stop, without appeal, to these unlawful studies—with what success we may infer from the fact that in 1231 the heretics of Trèves were found in possession of German versions of Holy Writ.†

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* Roberti Autissiodor. Chron. ann. 1198-1201.—Hist. Episcopp. Autissiodor. (D. Bouquet, XVIII. 725-6, 729).—Petri Sarnens. Hist. Albigens. c. 3.—Innoc. PP. III. Regest. II. 63, 99; V. 36; VI. 68, 239; IX. 110; X. 206.—Potthast, No. 9153.—Alberic. Trium Font. Chron. ann. 1200.—Chron. Canon. Laudunens. ann. 1204 (D. Bouquet, XVIII. 713).

† Regest. II. 141, 142, 235.—Gesta Treviror. c. 104.

It was the stronghold of heresy in southern France, however, which rightly gave rise to chief concern in Rome, and to this Innocent resolutely bent his energies. Raymond VI. of Toulouse, in the full vigor of mature manhood, at the age of thirty-eight, had, in January, 1195, succeeded his father in the possession of territories which rendered him the most powerful feudatory of the monarchy and almost an independent sovereign. Besides the county of Toulouse, the duchy of Narbonne conferred on him the dignity of first lay peer of France. He was likewise suzerain, with more or less direct authority, of the Marquisate of Provence, the Comtat Venaissin and the counties of St. Gilles, Foix, Comminges, and Rodez, and of the Albigeois, Vivarais, Gévaudan, Velai, Rouergue, Querci, and Agenois. Even in distant Italy he was known as the greatest count on earth, with fourteen counts as his vassals, and his troubadour flatterers assured him that he was the equal of emperors—

> Car il vai tan qu'en la soa valor
> Auri' assatz ad un emperador.

Even after the sacrifice of a major part of the possessions of the house, his son, Raymond VII., at his splendid Christmas court of 1244, conferred the honor of knighthood on no less than two hundred nobles. So far as matrimonial alliances can have weight, Raymond VI. was strengthened with them on every side, for he was of close kindred to the royal houses of Castile, Aragon, Navarre, France, and England. His fourth wife was Joan of England, whom he married in 1196 in pursuance of a favorable treaty with her brother Richard, thus relieving him of the enmity of that redoubtable warrior, who, as Duke of Aquitaine, had pressed his father hard. Yet that treaty with Richard gave secret offence to Philip Augustus, destined to bear bitter fruit thereafter. Almost at the same time he was liberated from another formidable hereditary foe by the death of Alonso II. of Aragon, whose large possessions and still larger pretensions in southern France had at times almost threatened the extinction of the house of Toulouse. With his successor, Pedro II., Raymond's relations were most friendly, cemented in 1200 by his marriage with Pedro's sister Eleanor, and in 1205 by the engagement of his young son, Raymond VII., with Pedro's infant daughter. Though the distant

sovereignty of France troubled him but little, yet the friendliness manifested to him on his accession by Philip Augustus was a not unimportant element in the prosperity which on every side seemed to give him assurance of a peaceful and fortunate reign. Thus secured against external aggression and confident of the future, he recked little of an excommunication which had been fulminated against him in 1195 by Celestin III. on account of the invasion of the rights of the Abbey of St. Gilles—an excommunication which Innocent III. removed shortly after his accession, but not without words of reproof and warning which Raymond defiantly disregarded, thus laying the foundation of a quarrel destined to result so disastrously. Though not a heretic, his indifference on religious questions led him to tolerate the heresy of his subjects. Most of his barons were either heretics or favorably inclined to a faith which, by denying the pretensions of the Church, justified its spoliation or, at least, liberated them from its domination. Raymond himself was doubtless influenced by the same motive, and when, in 1195, the Council of Montpellier anathematized all princes who neglected to enforce the Lateran canons against heretics and mercenaries, he paid no attention to its utterances. It would, in fact, have required the most ardent fanaticism to lead a prince so circumstanced to provoke his vassals, to lay waste his territories, to massacre his subjects, and to invite assault from watchful rivals, for the purpose of enforcing uniformity in religion and subjugation to a Church known only by its rapacity and corruption. Toleration had endured for nearly a generation; the land was blessed with peace after almost interminable war, and all the dictates of worldly prudence counselled him to follow in his father's footsteps. Surrounded by one of the gayest and most cultured courts in Christendom, fond of women, a patron of poets, somewhat irresolute of purpose, and enjoying the love of his subjects, nothing could have appeared to him more objectless than a persecution such as Rome held to be the most indispensable of his duties.*

The condition of the Church in his dominions might well ex-

* Villani Cronica, Lib. v. c. 90.—Diez, Leben und Werke der Troubadours, 424.—Guill. Pod. Laur. cap. 47.—Vaissette, Éd. Privat, VIII. 568.—Petri Sarnensis Hist. Albigens. c. 1.—Vaissette, Éd. 1730, III. 101.

cite the indignation of a pontiff like Innocent III., who conscientiously believed in the full measure of its awful authority and imprescriptible rights. A chronicler assures us that among many thousands of the people there were but few Catholics to be found; and although this is doubtless an exaggeration, we have seen in the preceding chapter what rapid strides heresy had made. How utterly discredited the Church had become, and how loss of respect for the spirituality had led to spoliation of the temporality is shown by the condition of the episcopate of the capital, Toulouse. Bishop Fulcrand, who died in 1200, is described as living perforce in apostolical poverty like a private citizen. His tithes had been seized by the knights and the monasteries; his first-fruits by the parish priests, and his only revenue was derived from a few farms and from the public baking-oven over which he retained a feudal right. In his extremity he brought suit against his own chapter to compel them to assign to him the income of a single prebend as a means of livelihood. When he visited the parishes, he was obliged to beg an escort from the lords of the lands over which he passed. When Fulcrand's wretched life came to an end, uninviting as the episcopate seemed to be, it was the subject of a bitter and disgraceful contest which ended in the success of Raymond de Rabastens, Archdeacon of Agen, whose career was even more miserable than that of his predecessor. Perhaps his poverty might excuse the unblushing simony with which he sought to augment his revenues; but when he had pledged or parted with all the remaining possessions of his see to defray the expenses of a fruitless litigation with Raymond de Beaupuy, one of his vassals, he was rightly adjudged a wicked and slothful servant, and was deposed with an annual assignment of thirty livres toulousains to keep him from beggary. His successor, Foulques of Marseilles, a distinguished troubadour who had renounced the world and become Abbot of Florèges, used to relate that when he took possession of the see he was obliged to water his mules at home, having no one to send with them to the common watering-place on the Garonne. Foulques was a man of different temper, whose ruthless bigotry in time carried fire and sword throughout his diocese.*

* Guillel. Nangiac. ann. 1207.—Vaissette, III. 128, 132.—Guillel. Pod. Lau-

The evil was constantly increasing, and unless checked it seemed only a question of time when the Church would disappear throughout all the Mediterranean provinces of France. Yet it must be said for the credit of the heretics that there was no manifestation of a persecuting spirit on their part. The rapacity of the barons, it is true, was rapidly depriving the ecclesiastics of their revenues and possessions; as they neglected their duties, and as the law of the strongest was all-prevailing, the invader of Church property had small scruple in despoiling lazy monks and worldly priests whose numbers were constantly diminishing; but the Cathari, however much they may have deemed themselves the Church of the future, seem never to have thought of extending their faith by force. They reasoned and argued and disputed when they found a Catholic zealous enough to contend with them, and they preached to the people, who had no other source of instruction; but, content with peaceable conversions and zealous missionary work, they dwelt in perfect amity with their orthodox neighbors. To the Church this state of affairs was unbearable. It has always held the toleration of others to be persecution of itself. By the very law of its being it can brook no rivalry in its domination over the human soul; and, in the present case, as toleration was slowly but surely leading to its destruction, it was bound by its sense of duty no less than of self-preservation to put an end to a situation so abhorrent. Yet, before it could resort effectually to force it was compelled to make what efforts

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rent. c. 6, 7.—Regest. VIII. 115–6.—For the condition of other sees—Careassonne, Vence, Agde, Ausch, Narbonne, Bordeaux—see Regest. I. 194; III. 24; VI. 216; VII. 84; VIII. 76; XVI. 5.

For the biography of Foulques, or Folquet, of Marseilles, who, after being favored by Raymond V., became the most bitter enemy of Raymond VI., see Paul Meyer ap. Vaissette, Éd. Privat, VII. 444. Dante places him in the heaven of Venus, together with Cunizza, the lascivious sister of Ezzelin da Romano (Paradiso, IX.). It is related of him that once when preaching against the heretics he compared them to wolves and the faithful to sheep. A heretic whose eyes had been torn out and his nose and lips cut off by Simon de Montfort, arose and said, "Did you ever see sheep bite a wolf thus?" to which Foulques rejoined that de Montfort was a good dog who had thus bitten the wolf. A more pleasing trait is seen in the story that he gave alms to a poor heretic beggar-woman, saying that he gave it to poverty and not to heresy.—Chabaneau (Vaissette, Éd. Privat, X. 292).

it could at persuasion—not of heretics, indeed, but of their protectors.

Innocent was consecrated February 22, 1198, and already by April 1st we find him writing to the Archbishop of Ausch, deploring the spread of heresy and the danger of its becoming universal. The prelate and his brethren are ordered to extirpate it by the utmost rigor of ecclesiastical censures, and if necessary by bringing the secular arm to bear through the assistance of princes and people. Not only are heretics themselves to be punished, but all who have any dealings with them, or who are suspect by reason of undue familiarity with them. In the existing posture of affairs, the prelates to whom these commands were addressed can only have regarded them with mingled derision and despair; and we can readily imagine the replies in which they declared their zeal and lamented their powerlessness. Innocent probably was aware of this in advance and did not await the response. By April 21st he had two commissioners ready to represent the Holy See on the spot—Rainier and Gui—whom he sent armed with letters to all the prelates, princes, nobles, and people of southern France, empowering them to enforce whatever regulations they might see fit to employ to avert the imminent peril to the Church arising from the countless increase of Cathari and Waldenses, who corrupted the people by simulated works of justice and charity. Those heretics who will not return to the true faith are to be banished and their property confiscated; these provisions are to be enforced by the secular authorities under penalty of interdict for refusal or negligence, and with the reward for obedience of the same indulgences as those granted for a pilgrimage to Rome or Compostella; and all who consort or deal with heretics or show them favor or protection are to share their punishment. It was apparently an after-thought when Rainier, six months later, was empowered to remove the source of the evil by reforming the churches and restoring discipline. Rainier's powers evidently proved insufficient, and in July, 1199, they were enlarged, both as a reformer and a persecutor, and he was appointed legate, to be received and obeyed with as much reverence as the pope himself. About this time there appeared to be a gleam of success in the application of William, Lord of Montpellier, for a legate to assist him in suppressing heresy; but though William was a good Cath-

olic this special manifestation of zeal was due to his anxiety to obtain the legitimation of the children of a second wife whom he had married without legally divorcing a previous one, and as Innocent refused to sanction the wrong, no great results were to be anticipated for religion. A vigorous show of reform was also commenced by attacking two high-placed and notorious offenders, the archbishops of Narbonne and Ausch, whose personal wickedness, negligence, and toleration of heresy had reduced the Church in their provinces to a most deplorable state; but as these proceedings dragged on for ten or twelve years before the removal of the sinners could be effected, no immediate purification could be hoped for by the most sanguine.*

In fact, for a time at least, these spasmodic efforts at reform only rendered matters worse. Angered and humiliated by the powers conferred on the representatives of Rome, and alarmed at the attempts to punish their evil lives, the local prelates were in no mood to second the exertions put forth for the eradication of heresy, and at one time it would even seem as though they might be driven to make common cause with the heretics, in opposition to the Holy See, in order to protect themselves and their clergy. Rainier had fallen sick in the summer of 1202 and had been replaced by Pierre de Castelnau and Raoul, two Cistercian monks of Fontfroide, who succeeded, after infinite trouble, by threats of the royal vengeance, in persuading the magistracy of Toulouse to swear to abjure heresy and expel heretics, in return for an oath pledging immunity and the preservation of the liberties of the city; but no sooner were their backs turned than heresy was as flagrant as before. Encouraged by this apparent success, they undertook the task of obtaining a similar oath from Count Raymond. This they finally accomplished, with equally slender result, but the process showed what assistance they might expect from the hierarchy. When they summoned the Archbishop of Narbonne to accompany them to the Count of Toulouse for the purpose, he not only refused, but declined to aid them in any way, and it was only after long entreaty that he would even furnish them a horse for the journey. With the Bishop of Béziers their success was no

* Regest. I. 92, 93, 94, 165, 395; II. 122, 123, 298; III. 24; V. 96; VII. 17, 75; VIII. 75, 106; IX. 66; X. 68; XIII. 88; XIV. 32; XVI. 5.—Vaissette, III. 117.

better. He likewise declined to go with them to Raymond; and when they asked his co-operation in summoning the consuls of Béziers to abjure heresy and defend the Church against heretics, he not only withheld it, but impeded their efforts; and though he finally promised to excommunicate the magistrates for contumacy, he never did so, in spite of the fact that heresy so predominated in the town that the viscount was obliged to authorize the cathedral canons to fortify the Church of St. Peter for fear that the heretics would seize it Possibly he was deterred by the example made of his neighbor, Berenger, Bishop of Carcassonne, who, in consequence of threatening his flock for heresy, was expelled the city and a heavy fine imposed on any one who should have dealings with him.*

Evidently pope and legate were of small account in the chaos which reigned in Languedoc. The prelates refused to be reformed, and yet the legates, in their disputations with the heretics, were so continually answered with references to the evil lives of the clergy that they recognized reformation as a condition precedent to any peaceable conversion of the people. The heretics were daily growing bolder, as if to show their scorn of the futile efforts of Innocent. About this very time Esclairmonde, sister of the powerful Count of Foix, with five other ladies of rank, was "hereticated" in a public assemblage of Cathari, where many knights and nobles were present, and it was remarked that the count was the only one who did not give the heretical salute or "veneration" to the ministrants. Even Pedro the Catholic of Aragon presided over a public debate at Carcassonne, between the legates and a number of leading heretics, which had no result. The situation was desperate, and Innocent may be pardoned if he reached the conclusion that a deluge was needed to cleanse the land of sin and prepare it for a new race.†

Enough time had been lost in half-measures while the evil was daily increasing in magnitude, and Innocent proceeded to put

* Petri Sarnens. c. 1, 17.—Vaissette, III. 129, 134–5; Preuves, 197.—Regest. vi. 242–3.

† Pet. Sarnens. c. 8.—Vaissette, III. 133, 135—Guillem de Tudela iv. My references to the poem which passes under the name of Guillem de Tudela are to Fauriel's edition (1837). A metrical version by Mary-Lafon appeared in 1868, since when M. Paul Meyer has issued a critical edition with abundant apparatus.

forth the whole strength of the Church. To the monks of Fontfroide he adjoined as chief legate the "Abbot of abbots," Arnaud of Citeaux, head of the great Cistercian Order, a stern, resolute, and implacable man, full of zeal for the cause and gifted with rare persistency. Since the time of St. Bernard the abbots of Citeaux had seemed to feel a personal responsibility for the suppression of heresy in Languedoc, and Arnaud was better fitted for the work before him than any of his predecessors. To the legation thus constituted, at the end of May, 1204, Innocent issued a fresh commission of extraordinary powers. The prelates of the infected provinces were bitterly reproached for the negligence and timidity which had permitted heresy to assume its alarming proportions. They were ordered to obey humbly whatever the legates might see fit to command, and the vengeance of the Holy See was threatened for slackness or contumacy. Wherever heresy existed, the legates were armed with authority "to destroy, throw down, or pluck up whatever is to be destroyed, thrown down, or plucked up, and to plant and build whatever is to be built or planted." With one blow the independence of the local churches was destroyed and an absolute dictatorship was created. Recognizing, moreover, of how little worth were ecclesiastical censures, Innocent proceeded to appeal to force, which was evidently the only possible cure for the trouble. Not only were the legates directed to deliver all impenitent heretics to the secular arm for perpetual proscription and confiscation of property, but they were empowered to offer complete remission of sins, the same as for a crusade to the Holy Land, to Philip Augustus and his son, Louis Cœur-de-Lion, and to all nobles who should aid in the suppression of heresy. The dangerous classes were also stimulated by the prospect of pardon and plunder, through a special clause authorizing the legates to absolve all under excommunication for crimes of violence who would join in persecuting heretics — an offer which subsequent correspondence shows was not unfruitful. To Philip Augustus, also, Innocent wrote at the same time, earnestly exhorting him to draw the sword and slay the wolves who had thus far found no one to withstand their ravages in the fold of the Lord. If he could not proceed in person, let him send his son, or some experienced leader, and exercise the power conferred on him for the purpose by Heaven. Not only was remission of sins

promised him, as for a voyage to Palestine, but he was empowered to seize and add to his dominions the territories of all nobles who might not join in persecution and expel the hated heretic.*

Innocent might well feel disheartened at the failure of this vigorous move. He had played his last card and lost. The prelates of the infected provinces, indignant at the usurpation of their rights, were less disposed than ever to second the efforts of the legates. Philip Augustus was unmoved by the dazzling bribes, spiritual and temporal, offered to him. He had already had the benefit of an indulgence for a crusade to the Holy Land, and had probably not found his spiritual estate much benefited thereby; while his recent acquisitions in Normandy, Anjou, Poitou, and Aquitaine, at the expense of John of England, required his whole attention, and might be endangered by creating fresh enmities in too sudden a renewal of conquest. He took no steps, therefore, in response to the impassioned arguments of Innocent, and the legates found the heretics more obdurate than ever. Pierre de Castelnau grew so discouraged that he begged the pope to permit him to return to his abbey; but Innocent refused permission, assuring him that God would reward him according to the labor rather than to the result. A second urgent appeal to Philip in February, 1205, was equally fruitless; and a concession in the following June, to Pedro of Aragon, of all the lands that he could acquire from heretics, and a year later of all their goods, was similarly without result, except that Pedro seized the Castle of Escure, belonging to the papacy, which had been occupied by Cathari. If something appeared to be gained when at Toulouse, in 1205, some dead heretics were prosecuted and their bones exhumed, it was speedily lost, for the municipality promptly adopted a law forbidding trials of the dead who had not been accused during life, unless they had been hereticated on the death-bed.†

The work might well seem hopeless, and all three legates were on the point of abandoning it peremptorily in despair, even Arnaud's iron will yielding to the insurmountable passive resistance of a people among whom the heretics would not be converted and

* Regest. VII. 76, 77, 79, 165.

† Regest. VII. 210, 212; VIII. 94, 97; IX. 103.—Havet, L'Hérésie et le bras seculier (Bibliothèque de l'École des Chartes, 1880, 582).

the orthodox could not be stimulated to persecution. Bishop Foulques of Toulouse used to relate that in a disputation at which he was present the Cathari were, as usual, vanquished, when he asked Pons de Rodelle, a knight renowned for wisdom and a good Catholic, why he did not drive from his lands those who were so manifestly in error. "How can we do it?" replied the knight. "We have been brought up with these people, we have kindred among them, and we see them live righteously." Dogmatic zeal fell powerless before such kindliness; and we can readily believe the monk of Vaux-Cernay, when he tells us that the barons of the land were nearly all protectors and receivers of heretics, loving them fervently and defending them against God and the Church.*

The case seemed desperate, when a new light fell as though from heaven upon those groping blindly in the darkness. About mid-summer in 1206 the three legates met at Montpellier, and the result of their conference was a determination to withdraw from the thankless labor. By chance, a Spanish prelate, Diego de Azevedo, Bishop of Osma, arrived there on his return from Rome, where he had vainly supplicated Innocent to permit his resignation of his bishopric in order that he might devote his life to missionary work among the infidel. On learning the decision of the legates, he earnestly dissuaded them, and suggested their dismissing their splendid retinues and worldly pomp and going among the people, barefooted and poor like the apostles, to preach the Word of God. The idea was so novel that the legates hesitated, but finally assented, if an example were set them by one in authority. Diego offered himself for the purpose and was accepted, whereupon he sent his servitors home, retaining only his sub-prior, Domingo de Guzman, who had already, on the voyage towards Rome, converted a heretic in Toulouse. Arnaud returned to Citeaux to hold a general chapter of the order and to obtain recruits for the missionary work, while the other two legates with Diego and Dominic commenced their experiment at Caraman, where for eight days they disputed with the heresiarchs Baldwin and Thierry, the latter of whom we have seen driven from the Nivernois some years before. We are told that they converted

* Guillel. de Pod. Laurent. c. 8.—Pet. Sarnens. c. 1.

all the simple folk, but that the lord of the castle would not allow the two disputants to be expelled.*

Further colloquies of similar character are recorded, occupying the autumn and winter, and, with the opening of spring, in 1207, Arnaud had held his chapter and obtained numerous volunteers for the pious work, among them no less than twelve abbots. Taking boats, they descended the Saone to the Rhone, without horses or retinue, and proceeded to their field of labor, where they separated into twos and threes, wandering barefoot among the towns and villages and seeking to gather in the lost sheep of Israel. For three months they thus labored diligently, like real evangelists, finding thousands of heretics and few orthodox, but the harvest was scanty and conversions rarely rewarded their pains—in fact, the only practical result was to excite the heretics to renewed missionary zeal. It speaks well for the tolerant temper of the Cathari that men who had been invoking the most powerful sovereigns of Christendom to exterminate them with fire and sword, should have incurred no real danger in a task apparently so full of risk. The missionaries had to complain of occasional insult, but never were even threatened with injury, except perhaps, at Béziers, Pierre de Castelnau, who seems to have attracted to himself the special dislike of the sectaries. It shows, moreover, the zealous care with which the Church restricted the office of preaching that the legates, in spite of the extraordinary powers with which they were clothed, felt obliged to apply to Innocent for special authority to confer the license to teach in public on those whom they deemed worthy. The favorable answer of the pope was in reality one of the important events of the century, for it gave the impulsion out of which eventually grew the great Dominican Order.†

Pierre de Castelnau left his colleagues and visited Provence to make peace among the nobles, in the hope of uniting them for the expulsion of heretics. Raymond of Toulouse refused to lay down his arms until the intrepid monk excommunicated him and laid his dominions under interdict, finally reproaching him bitterly to his

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* Pet. Sarnens. c. 3.

† Pet. Sarnens. c. 3, 5.—Rob. Autissiodor. ann. 1207.—Guillel. Nangiac. ann. 1207.—Guillel. de Pod. Laurent. c. 8.—Concil. Narbonn. ann. 1208.—Regest. IX. 185.

face for his perjuries and other misdeeds. Raymond submitted in patience to this reproof, while Pierre applied to Innocent for confirmation of the sentence. By this time, in fact, Raymond had acquired the special hatred of the papalists, through his obstinate neglect to persecute his heretical subjects, in spite of his readiness to take what oaths were required of him. Notwithstanding his outward conformity to orthodoxy, they accused him of being at heart a heretic, and stories were circulated that he always carried with him "perfected" heretics, disguised in ordinary vestments, together with a New Testament, that he might be "hereticated" in case of sudden death; that he had declared that he would rather be like a certain crippled heretic living in poverty at Castres than be a king or an emperor; that he knew that he would in the end be disinherited for the sake of the "Good Men," but that he was ready to suffer even beheading for them. All this and much more, including exaggerated gossip as to his undoubted frailties, was diligently published in order to render him odious, but there is no proof that his religious indifference ever led him to deviate from the faith, and no accusation that he had ever interfered with the legates in their mission. They were free to make what converts they could by persuasion or argument, but he committed the unpardonable crime of refusing at their bidding to plunge his dominions in blood.*

Innocent promptly confirmed the sentence of his legate, May 29, 1207, in an epistle to Raymond which was an unreserved expression of the passions accumulated through long years of zealous effort frustrated in its results. In the harshest vituperation of ecclesiastical rhetoric, Raymond was threatened with the vengeance of God here and hereafter. The excommunication and interdict were to be strictly observed until due satisfaction and obedience were rendered; and he was warned that these must be speedy, or he would be deprived of certain territories which he held of the Church, and if this did not suffice, the princes of Christendom would be summoned to seize and partition his dominions so that the land might be forever freed from heresy. Yet in the recital of misdeeds which were held to justify this rigorous sentence there was nothing that had not been for two generations so universal in

* Pet. Sarnens. c. 3, 4.

Languedoc that it might almost be regarded as a part of the public law of the land. He had continued to wage war when desired by the legates to make peace, and had refused to suspend operations on feast-days or holidays; he had violated his oaths to purge his land of heresy, and had shown such favor to heretics as to render his own faith vehemently suspected; in derision of the Christian religion he had bestowed public office on Jews; he had despoiled the Church and ill-treated certain bishops; he had continued to employ the robber bands of mercenaries and had increased the tolls. Such is the summary of crime alleged against him, which we may reasonably assume to cover everything possibly susceptible of proof.*

Innocent waited awhile to prove the effect of this threat and the results of the missionary effort so auspiciously started by Bishop Azevedo. Both were null. Raymond, indeed, made peace with the Provençal nobles, and was released from excommunication, but he showed no signs of awakening from his exasperating indifference on the religious question, while the Cistercian abbots, disheartened by the obstinacy of the heretics, dropped off one by one, and retired to their monasteries. Legate Raoul died, and Arnaud of Citeaux was called elsewhere by important affairs. Bishop Azevedo went to Spain to set his diocese in order and return to devote his life to the work; but he, too, died when on the point of setting out. He had left behind him the saintly Dominic, who was quietly bringing together a few ardent souls, the germs of the great Order of Preachers, and Pierre de Castelnau remained as the sole representative of Rome until Raoul was replaced by the Bishop of Conserans. Everything thus had been tried and had failed, except the appeal to the sword, and to this Innocent again recurred with all the energy of despair. A milder tone towards Philip Augustus with regard to his matrimonial complications between Ingeburga of Denmark and Agnes of Meran might predispose him to vindicate energetically the wrongs of the Church; but, while condescending to this, Innocent now addressed, not only the king, but all the faithful throughout France, and the leading magnates were honored with special missives. November 16, 1207, the letters were sent out, pathetically representing the incessant and

* Regest. x. 69.

alarming growth of heresy and the failure of all endeavors to bring the heretics to reason, to frighten them with threats, or to allure them with blandishments. Nothing was left but an appeal to arms; and to all who would embark in this good work the same indulgences were offered as for a crusade to Palestine. The lands of all engaged in it were taken under the special protection of holy Church, and those of the heretics were abandoned to the spoiler. All creditors of Crusaders were obliged to postpone their claims without interest, and clerks taking part were empowered to pledge their revenues in advance for two years.*

Earnest and impassioned as was this appeal, it fell, like the previous one, upon deaf ears. Innocent had for years been invoking the religious martial ardor of Europe in aid of the Latin kingdoms of the East, and that ardor seemed for a time exhausted. Philip Augustus coolly responded that his relations with England did not allow him to let the forces of his kingdom be divided, but that, if he could be assured of a two years' truce, then, if the barons and knights of France wanted to undertake a crusade, he would permit them, and aid it with fifty livres a day for a year. Apparently the present effort was destined to prove as inefficient as the former one had been, when a startling incident suddenly changed the whole aspect of affairs. The murder of the legate Pierre de Castelnau sent a thrill of horror throughout Christendom like that caused by the assassination of Becket thirty-eight years before. Of its details, however, the accounts are so contradictory that it is impossible to speak of it with precision. This much we know, that Pierre had greatly angered Raymond by the bitterness of his personal reproaches; that the count, aroused by the sense of impending danger in the fresh call for a crusade, had invited the legates to an interview at St. Gilles, promising to show himself in all things an obedient son of the Church; that difficulties arose in the conference, the demands of the legates being greater than Raymond was willing to concede. The Romance version of the catastrophe is simply that, during the conference, Pierre became entangled in an angry religious dispute with one of the gentlemen of the court, who drew his dagger and slew him; that the count was greatly concerned at an event so deplorable,

* Pet. Sarnens. c. 3, 6, 7.—Regest. x. 149, 176; xi. 11.

and would have taken summary vengeance on the murderer but for his escape and hiding with friends at Beaucaire. The story carried to Rome by the Bishops of Conserans and Toulouse, who hastened thither to inflame Innocent against Raymond, was that, wearied with the count's tergiversations, the legates announced their intentions to withdraw, when he was heard to threaten them with death, saying that he would track them by land and water. That the Abbot of St. Gilles and the citizens, unable to appease his wrath, furnished the legates with an escort, and they reached the Rhone in safety, where they passed the night. While preparing to cross the river in the morning (January 16, 1208), two strangers, who had joined the party, approached the legates, and one of them suddenly thrust his lance through Pierre, who, turning on his murderer, said, "May God forgive thee, for I forgive thee!" and speedily breathed his last; and that Raymond, so far from punishing the crime, protected and rewarded the perpetrator, even honoring him with a seat at his own table. The papal account, it must be owned, is somewhat impaired in effect by the remark that Pierre, as a martyr, would certainly have shone forth in miracles but for the incredulity of the people. It may well be that a proud and powerful prince, exasperated by continued objurgation and menace, may have uttered some angry expression, which an overzealous servitor hastened to translate into action, and Raymond, certainly, never was able to clear himself of suspicion of complicity; but there are not wanting indications to show that Innocent eventually regarded his exculpation as satisfactory.*

The crime gave the Church an enormous advantage, of which Innocent hastened to make the most. On March 10 he issued letters to all the prelates in the infected provinces commanding that, in all churches, on every Sunday and feast-day, the murderers and their abettors, including Raymond, be excommunicated with bell, book, and candle, and every place cursed with their presence was declared under interdict. As no faith was to be kept with him who kept not faith with God, all of Raymond's

* Vaissette, Éd. Privat, VIII. 557.—Hist. du Comte de Toulouse (Vaissette, III. Pr. 3, 4).—Guill. de Pod. Laurent. c. 9.—Pet. Sarnens. c. 9.—Rob. Autissiodor. ann. 1209.—Guill. Nangiac. ann. 1208.—Regest. XI. 26; XII. 106.—Guillem de Tudela, v.

vassals were released from their oaths of allegiance, and his lands were declared the prey of any Catholic who might assail them. while, if he applied for pardon, his first sign of repentance must be the extermination of heresy throughout his dominions. These letters were likewise sent to Philip Augustus and his chief barons, with eloquent adjurations to assume the cross, and rescue the imperilled Church from the assaults of the emboldened heretics; commissioners were sent to negotiate and enforce a truce for two years between France and England, that nothing might interfere with the projected crusade, and every effort was made to transmute into warlike zeal the horror which the sacrilegious murder was so well fitted to arouse. Arnaud of Citeaux hastened to call a general chapter of his Order, where it was unanimously resolved to devote all its energies to preaching the crusade, and soon multitudes of fiery monks were inflaming the passions of the people, and offering redemption in every church and on every market-place in Europe.*

The flame which had been so long kindling burst forth at last. To estimate fully the force of these popular ebullitions in the Middle Ages, we must bear in mind the susceptibility of the people to contagious emotions and enthusiasms of which we know little in our colder day. A trifle might start a movement which the wisest could not explain nor the most powerful restrain. It was during the preaching of this crusade that villages and towns in Germany were filled with women who, unable to expend their religious ardor in taking the cross, stripped themselves naked and ran silently through the roads and streets. Still more symptomatic of the diseased spirituality of the time was the Crusade of the Children, which desolated thousands of homes. From vast districts of territory, incited apparently by a simultaneous and spontaneous impulse, crowds of children set forth, without leaders or guides, in search of the Holy Land; and their only answer, when questioned as to their object, was that they were going to Jerusalem. Vainly did parents lock their children up; they would break loose and disappear; and the few who eventually found their way home again could give no reason for the overmastering longing which had car-

* Regest. XI. 26, 29, 30, 31, 32, 33.—Archives Nationales de France J, 430, No. 2.—Hist. du C. de Toul. (Vaissette, III. Pr. 4).

ried them away. Nor must we lose sight of other and less creditable springs of action which brought to all crusades the vile, who came for license and spoil, and the base, who sought the immunity conferred by the quality of Crusader. This is illustrated by the case of a knave who took the cross to evade the payment of a debt contracted at the fair of Lille, and was on the point of escaping when he was arrested and delivered to his creditor. For this invasion of immunity the Archbishop of Reims excommunicated the Countess Matilda of Flanders, and placed her whole land under interdict in order to compel his release. How this principle worked to secure the higher order of recruits was shown when Gui, Count of Auvergne, who had been excommunicated for the unpardonable offence of imprisoning his brother, the Bishop of Clermont, was absolved on condition of joining the Host of the Lord.*

Other special motives contributed in this case to render the crusade attractive. There was antagonism of race, jealousy of the wealth and more advanced civilization of the South, and a natural desire to complete the Frankish conquest so often begun and never yet accomplished. More than all, the pardon to be gained was the same as that for the prolonged and dangerous and costly expedition to Palestine, while here the distance was short and the term of service limited to forty days. Paradise, surely, could not be gained on easier terms, and the preachers did not fail to point out that the labor was small and the reward illimitable. With Christendom fairly aroused by the murder of the legate, there could be no doubt, therefore, as to the result. Whether Philip Augustus contributed, in men or money, is more than doubtful, but he made no opposition to the service of his barons, and endeavored to turn his acquiescence to account in the affair of his divorce, while he declined personal participation on the ground of the threatening aspect of his relations with King John and the Emperor Otho. He significantly warned the pope, however, that Raymond's territories could not be exposed to seizure until he had been condemned for heresy, which had not yet been done, and that when such condemnation should be pronounced it would be for the suzerain, and not for the Holy See, to proclaim the penalty. This was strictly

* Alberti Stadens. Chron. ann. 1212. — Chronik des Jacob v. Königshofen (Chron. der deutschen Städte IX. 649).—Regest. XI. 234; XV. 199.

in accordance with existing law, for the principle had not yet been introduced into European jurisprudence that suspicion of heresy annulled all rights—a principle which the case of Raymond went far to establish, for the Church without a trial stripped him of his possessions and then decided that he had forfeited them, after which the king could only acquiesce in the decision. Scruples of this kind, however, did not dampen the zeal of those whom the Church summoned to defend the faith. Many great nobles assumed the cross—the Duke of Burgundy and the Counts of Nevers, St. Pol, Auxerre, Montfort, Geneva, Poitiers, Forez, and others, with numerous bishops. With time there came large contingents from Germany, under the Dukes of Austria and Saxony, the Counts of Bar, of Juliers, and of Berg. Recruits were drawn from distant Bremen on the one hand, and Lombardy on the other, and we even hear of Slavonian barons leaving the original home of Catharism to combat it in its seat of latest development. There was salvation to be had for the pious, knightly fame for the warrior, and spoil for the worldly; and the army of the Cross, recruited from the chivalry and the scum of Europe, promised to be strong enough to settle decisively the question which had now for three generations defied all the efforts of the faithful.*

All this was, necessarily, a work of time, and Raymond sought in the interval to conjure the coming storm. Roused at last from his dream of security, he recognized the fatal position in which the murder of the legate had placed him, and if he could save his dignities he was ready to sacrifice his honor and his subjects. He hastened to his uncle, Philip Augustus, who received him kindly and counselled submission, but forbade an appeal to his enemy, the Emperor Otho. Raymond, however, in his despair, sought the emperor, whose vassal he was for his territories beyond the Rhone, obtaining no help, and incurring the ill-will of Philip, which was of much greater moment. On his return, learning that Arnaud was about to hold a council at Aubinas, Raymond hurried thither

* Guillel. Briton. Philippidos VIII. 490–529.—Regest. XI. 156, 157, 158, 159, 180, 181, 182, 231, 234.—Vaissette, III. Pr. 4, 96.—Vaissette, Éd. Privat, VIII. 559, 563.—Pet. Sarnens. c. 10, 14.—Guill. de Tudela viii., lvi., cliv.—Alberti Stadens. Chron. ann. 1210.—Cæsar. Heisterb. Dial. Mirac. Dist. v. c. 21.—Reinell Monach. Leodiens. Chron. ann. 1210, 1213.—Chron. Engelhusii (Leibnitz Script. Rer. Brunsv. II. 1113).

with his nephew, the young Raymond Roger, Viscount of Béziers, and endeavored to prove his innocence and make his peace, but was coldly refused a hearing, and was referred to Rome. Returning much disconcerted, he took counsel with his nephew, who advised resisting the invasion to the death; but Raymond's courage was unequal to the manly part. They quarrelled, whereupon the hot-headed youth commenced to make war on his uncle, while the latter sent envoys to Rome for terms of submission, and asked for new and impartial legates to replace those who were irrevocably prejudiced against him. Innocent demanded that, as security for his good faith, he should place in the hands of the Church his seven most important strongholds, after which he should be heard, and, if he could prove his innocence, be absolved. Raymond gladly ratified the conditions, and earnestly welcomed Milo and Theodisius, the new representatives of the Church, who treated him with such apparent friendliness that, when Milo subsequently died at Arles, he mourned greatly, believing that he had lost a protector who would have saved him from his misfortunes. He did not know that the legates had secret instructions from Innocent to amuse him with fair promises, to detach him from the heretics, and when they should be disposed of by the Crusaders, to deal with him as they should see fit.*

He was played with accordingly, skilfully, cruelly, and remorselessly. The seven castles were duly delivered to Master Theodisius, thus fatally crippling him for resistance; the consuls of Avignon, Nîmes, and St. Gilles were sworn to renounce their allegiance to him if he did not obey implicitly the future commands of the pope, and he was reconciled to the Church by the most humiliating of ceremonies. The new legate, Milo, with some twenty archbishops and bishops, went to St. Gilles, the scene of his alleged crime, and there, June 18, 1209, arrayed themselves before the portal of the Church of St. Gilles. Stripped to the waist, Raymond was brought before them as a penitent, and swore on the relics of St. Gilles to obey the Church in all matters whereof he was accused. Then the legate placed a stole around his neck, in the fashion of a halter, and led him into the Church, while he was industriously scourged on his naked back and shoulders up to the altar, where he was absolved. The curious crowd assem

* Guill. de Pod. Laurent. c. 13.—Vaissette, III. Pr. 4, 5.—Regest. xi. 232.

bled to witness the degradation of their lord was so great that return through the entrance was impossible, and Raymond was carried down to the crypt where the martyred Pierre de Castelnau lay buried, whose spirit was granted the satisfaction of seeing his humbled enemy led past his tomb with shoulders dropping blood. From a churchman's point of view the conditions of absolution laid upon him were not excessive, though well known to be impossible of fulfilment. Besides the extirpation of heresy, he was to dismiss all Jews from office and all his mercenary bands from his service; he was to restore all property of which the churches had been despoiled, to keep the roads safe, to abolish all arbitrary tolls, and to observe strictly the Truce of God.*

All that Raymond had gained by these sacrifices was the privilege of joining the crusade and assisting in the subjugation of his country. Four days after the absolution he solemnly assumed the cross at the hands of the legate Milo and took the oath—"In the name of God, I, Raymond, Duke of Narbonne, Count of Toulouse, and Marquis of Provence, swear with hand upon the Holy Gospels of God that when the crusading princes shall reach my territories I will obey their commands in all things, as well as regards security as whatever they may see fit to enjoin for their benefit and that of the whole army." It is true that in July, Innocent, faithful to his prearranged duplicity, wrote to Raymond benignantly congratulating him on his purgation and submission, and promising him that it should redound to his worldly as well as spiritual benefit; but the same courier carried a letter to Milo urging him to continue as he had begun; and Milo, on whom Raymond was basing his hopes, soon after, hearing a report that the count had gone to Rome, warned his master, with superabundant caution, not to spoil the game. "As for the Count of Toulouse," writes the legate, "that enemy of truth and justice, if he has sought your presence to recover the castles in my hands, as he boasts that he can easily do, be not moved by his tongue, skilful only in his slanders, but let him, as he deserves, feel the hand of the Church heavier day by day. After I had received security for his oath on at least fifteen heads, he has perjured himself on them all. Thus he has manifestly forfeited his rights on Melgueil as well as the seven castles which I hold. They are so strong by

* Pet. Sarnens. c. 11, 12.—Regest. XII. post Epistt. 85, 107.

nature and art that, with the assistance of the barons and people who are devoted to the Church, it will be easy to drive him from the land which he has polluted with his vileness." Already the absolution which had cost so much was withdrawn, and Raymond was again excommunicated and his dominions laid under a fresh interdict, because he had not, within sixty days, during which he was with the Crusaders, performed the impossible task of expelling all heretics, and the city of Toulouse lay under a special anathema because it had not delivered to the Crusaders all the heretics among its citizens. It is true that subsequently a delay until All-Saints' (Nov. 1) was mercifully granted to Raymond to perform all the duties imposed on him; but he was evidently prejudged and foredoomed, and nothing but his destruction would satisfy the implacable legates.*

Meanwhile the Crusaders had assembled in numbers such as never before, according to the delighted Abbot of Citeaux, had been gathered together in Christendom; and it is quite possible that there is but slight exaggeration in the enmneration of twenty thousand cavaliers and more than two hundred thousand foot, including villeins and peasants, besides two subsidiary contingents which advanced from the West. The legates had been empowered to levy what sums they saw fit from all the ecclesiastics in the kingdom, and to enforce the payment by excommunication. As for the laity, their revenues were likewise subjected to the legatine discretion, with the proviso that they were not to be coerced into payment without the consent of their seigneurs. With all the wealth of the realm thus under contribution, backed by the exhaustless treasures of salvation, it was not difficult to provide for the motley host whose campaign opened under the spirit-stirring adjuration of the vicegerent of God—"Forward, then, most valiant soldiers of Christ! Go to meet the forerunners of Antichrist and strike down the ministers of the Old Serpent! Perhaps you have hitherto fought for transitory glory; fight now for everlasting glory; you have fought for the world; fight now for God! We do not exhort you to perform this great service to God for any earthly reward, but for the kingdom of Christ, which we most confidently promise you!" †

* Regest. ubi sup; xii. 89, 90, 106, 107.

† Regest. xi. 230; xii. 97, 98, 99.—Guillem de Tudela, xliii.—Vaissette, III. Pr. 10.

Under this inspiration the Crusaders assembled at Lyons about St. John's day (June 24, 1209), and Raymond hastened from the scene of his humiliation at St. Gilles to complete his infamy by leading them against his countrymen, offering them his son as a hostage in pledge of his good faith. He was welcomed by them at Valence, and, under the supreme command of Legate Arnaud, guided them against his nephew of Béziers. The latter, after a vain attempt at composition with the legate, who sternly refused his submission, had hurriedly placed his strongholds in condition of defence and levied what forces he could to resist the onset.*

The war, it should be observed, despite its religious origin, was already assuming a national character. The position taken by Raymond and the rejected submission of the Viscount of Béziers, in fact, deprived the Church of all colorable excuse for further action; but the men of the North were eager to complete the conquest commenced seven centuries before by Clovis, and the men of the South, Catholics as well as heretics, were virtually unanimous in resisting the invasion, notwithstanding the many pledges given by nobles and cities at the commencement. We hear nothing of religious dissensions among them, and comparatively little of assistance rendered to the invaders by the orthodox, who might be presumed to welcome the Crusaders as liberators from the domination or the presence of a hated antagonistic faith. Toleration had become habitual and race-instinct was too strong for religious feeling, presenting almost the solitary example of the kind during the Middle Ages, when nationality had not yet been developed out of feudalism and religious interests were universally regarded as dominant. This explains the remarkable fact that the pusillanimous course of Raymond was distasteful to his own subjects, who were constantly urging him to resistance, and who clung to him and his son with a fidelity that no misfortune or selfishness could shake, until the extinction of the House of Toulouse left them without a leader.

Raymond Roger of Béziers had fortified and garrisoned his capital, and then, to the great discouragement of his people, had withdrawn to the safer stronghold of Carcassonne. Reginald, Bishop of Béziers, was with the crusading forces, and when they

* Pet. Sarnens. c. 15.—Guillem de Tudela, xi., xiv.—Vaissette, III. Pr. 7.

arrived before the city, humanely desiring to save it from destruction, he obtained from the legate authority to offer it full exemption if the heretics, of whom he had a list, were delivered up or expelled. Nothing could be more moderate, from the crusading standpoint, but when he entered the town and called the chief inhabitants together the offer was unanimously spurned. Catholic and Catharan were too firmly united in the bonds of common citizenship for one to betray the other. They would, as they magnanimously declared, although abandoned by their lord, rather defend themselves to such extremity that they should be reduced to eat their children. This unexpected answer stirred the legate to such wrath that he swore to destroy the place with fire and sword—to spare neither age nor sex, and not to leave one stone upon another. While the chiefs of the army were debating as to the next step, suddenly the camp-followers, a vile and unarmed folk as the legates reported, inspired by God, made a rush for the walls and carried them, without orders from the leaders and without their knowledge. The army followed, and the legate's oath was fulfilled by a massacre almost without parallel in European history. From infancy in arms to tottering age, not one was spared—seven thousand, it is said, were slaughtered in the Church of Mary Magdalen to which they had fled for asylum—and the total number of slain is set down by the legates at nearly twenty thousand, which is more probable than the sixty thousand or one hundred thousand reported by less trustworthy chroniclers. A fervent Cistercian contemporary informs us that when Arnaud was asked whether the Catholics should be spared, he feared the heretics would escape by feigning orthodoxy, and fiercely replied, "Kill them all, for God knows his own!" In the mad carnage and pillage the town was set on fire, and the sun of that awful July day closed on a mass of smouldering ruins and blackened corpses—a holocaust to a deity of mercy and love whom the Cathari might well be pardoned for regarding as the Principle of Evil. To the orthodox the whole was so manifestly the work of God that the Crusaders did not doubt that the blessing of Heaven attended their arms. Indeed, other miracles were not wanting to encourage them. Although in their senseless havoc they destroyed all the mills within their reach, bread was always miraculously plentiful and cheap in the camp—thirty loaves for a denier was

the ordinary price; and during the whole campaign it was noted as an encouragement from heaven that no vulture, or crow, or other bird ever flew over the host.*

Similar good-fortune had attended the smaller crusading armies on their way to join the main body. One, under the Viscount of Turenne and Gui d'Auvergne, had captured the almost impregnable castle of Chasseneuil after a short siege. The garrison obtained terms and were allowed to depart, but the inhabitants were left to the discretion of the conquerors. The choice between conversion and the stake was offered them, and, proving obstinate in their errors, they were pitilessly burned—an example which was generally followed. The other force, under the Bishop of Puy, had put to ransom Caussade and St. Antonin, and was generally censured for this misplaced avaricious mercy. Such terror pervaded the land that when a fugitive came to the Castle of Villemur falsely reporting that the Crusaders were coming and would treat it like the rest, the inhabitants abandoned it under cover of the night and themselves set it on fire. Innumerable strongholds, in fact, were surrendered without a blow, or were found vacant, though amply provisioned and strengthened for a siege, and a mountainous region bristling with castles, which would have cost years to conquer if obstinately defended, was occupied in a campaign of a month or two. The populous and mutinous town of Narbonne, to save itself, adopted the severest laws against heresy, raised a large subvention in aid of the crusade, and surrendered sundry castles as security.†

Without dallying over the ruins of Béziers, the Crusaders, still under the guidance of Raymond, moved swiftly to Carcassonne, a place regarded as impregnable, where Raymond Roger had elected to make his final stand. The wiser heads among the invaders, looking to a permanent occupation of the country, had no desire to repeat the example already given, and have on their hands a land without defences. Arriving before the walls on August 1st, only nine days after the sack of Béziers, a regular siege was commenced. The outer suburb, which was scarce defensible,

* Regest. XII. 108.—Pet. Sarnens. c. 16.—Vaissette, III. 168; Pr. 10, 11.—Guill. de Pod. Laurent. c. 13.—Guillem de Tudela xvi.—xxiii., xxv.—Roberti Autissiodor. Chron. ann. 1209.—Cæsar. Heisterb. Dial. Mirac. v. 21.

† Guillem de Tudela, xiii., xiv.—Vaissette, III. 169, 170; Pr. 9, 10.

was carried and burned after a desperate resistance. The second suburb, strongly fortified, cost a prolonged effort, in which all the resources of the military art of the day were brought into play on both sides, and when it was no longer tenable the besieged evacuated and burned it. There remained the city itself, the capture of which seemed hopeless. Tradition related that Charlemagne had vainly besieged it for seven years and had finally become its master only by a miracle. Terms were offered to the viscount; he was free to depart with eleven of his own choosing, if the city and its people were abandoned to the discretion of the Crusaders, but he rejected the proposal with manly indignation. Still, the situation was becoming insupportable; the town was crowded with refugees from the surrounding country; the summer had been cursed with drought, and the water supply had given out, causing a pestilence under which the wretched people were daily dying by scores. In his anxiety for peace the young viscount allowed himself to be decoyed into the besieging camp, where he was treacherously detained as a prisoner—dying shortly after, it was said, of dysentery, but not without well-grounded suspicions of foul play. Deprived of their chief, the people lost heart; but to avoid the destruction of the city, they were allowed to depart, carrying with them nothing but their sins—the men in their breeches and the women in their chemises—and the place was occupied without further struggle. Curiously enough, we hear nothing of any investigation into their faith, or any burning of heretics.*

The siege of Carcassonne brings before us two men, with whom we shall have much to do hereafter, representing so typically the opposing elements in the contest that we may well pause for a moment to give them consideration. These are Pedro II. of Aragon and Simon de Montfort.

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* Regest. XII. 108; XV. 212.—Pet. Sarnens. c. 17.—Vaissette, III. Pr. 11–18.—Guillem de Tudela, xxiv.–xxxiii., xl.—Guillel. Nangiac. ann. 1209.—Guill. de Pod. Laurent. c. 14.—A. Molinier, ap. Vaissette, Éd. Privat, VI. 296.

Dom Vaissette (III. 172) cites Cæsarius of Heisterbach as authority for the statement that four hundred and fifty of the inhabitants of Carcassonne refused to abjure heresy, of whom four hundred were burned and the rest hanged. The silence of better-informed contemporaries may well render this doubtful, especially as Cæsarius assigns the incident to a city which he terms Pulchravallis (Dial. Mirac. Dist. v. c. 21).

Pedro was the suzerain of Béziers, and the young viscount was bound to him with ties of close friendship. Though when appealed to in advance for aid he had declined, yet when he heard of the sack of Béziers he hurried to Carcassonne to mediate if possible for his vassal, though his efforts were fruitless. He was everywhere regarded as a model for the chivalry of the South. Heroic in stature and trained in every knightly accomplishment, he was ever in the front of battle; and on the tremendous day of Las Navas de Tolosa, which broke the Moorish power in Spain, it was he, by common consent, among all the kings and nobles present, who won the loftiest renown. In the bower he was no less dangerous than in the field. His gallantries were countless, and his licentiousness notorious, even in that age of easy morals. He was munificent to prodigality, fond of magnificent display, courteous to all comers, and magnanimous to all enemies. Like his father, Alonso II., moreover, he was a troubadour, and his songs won applause, none the less hearty, perhaps, that he was a liberal patron of rival poets. With all this his religious zeal was ardent, and he gloried in the title of el Catolico. This he manifested not only in the savage edict against the Waldenses, referred to in a previous chapter, but by an extraordinary act of devotion to the Holy See. In 1095 his ancestor, Pedro I., had placed the kingdom of Aragon under the special protection of the popes, from whom his successors were to receive it on their accession and to pay an annual tribute of five hundred mancuses. In 1204 Pedro II. resolved to perform this act of fealty in person. With a splendid retinue he sailed for Rome, where he took an oath of allegiance to Innocent, including a pledge to persecute heresy. He was crowned with a crown of unleavened bread, and received from the pope the sceptre, mantle, and other royal insignia, which he reverently laid upon the altar of St. Peter, to whom he offered his kingdom, taking in lieu his sword from Innocent, subjecting his realm to an annual tribute, and renouncing all rights of patronage over churches and benefices. As an equivalent for all this he was satisfied with the title of First Alferez or Standard-bearer of the Church and the privilege for his successors of being crowned by the Archbishop of Tarragona in his cathedral church. The nobles of Aragon, however, regarded this as an inadequate return for the taxes occasioned by his extravagance and for the loss of Church patronage, and their dissatis-

faction was expressed in forming the confederation known as La Union, which for generations was of dangerous import to his successors. Impulsive and generous, Pedro's career reads like a romance of chivalry, and, with such a character, it was impossible for him to avoid participating in the Albigensian wars, in which he had a direct interest, owing to his claims upon Provence, Montpellier, Béarn, Roussillon, Gascony, Comminges, and Béziers.*

In marked contrast with this splendid knight-errantry was the solid and earnest character of de Montfort, who had distinguished himself, as was his wont, at the siege of Carcassonne. He was the first to lead in the assault on the outer suburb; and when an attack upon the second had been repulsed and a Crusader was left writhing in the ditch with a broken thigh, de Montfort with a single squire leaped back into it, under a shower of missiles, and bore him off in safety. The younger son of the Count of Evreux, a descendant of Rollo the Norman, he was Earl of Leicester by right of his mother the heiress, and had won a distinguished name for prowess in the field and wisdom and eloquence in the council. Religious to bigotry, he never passed a day without hearing mass; and the true-hearted affection which his wife, Alice of Montmorency, bore him, shows that his reputation for chastity—a rare virtue in those days—was probably not undeserved. In 1201 he had joined the crusade of Baldwin of Flanders; and when, during the long detention in Venice, the Crusaders sold their services to the Venetians for the destruction of Zara, de Montfort alone refused, saying that he had come to fight the infidel and not to make war on Christians. He left the host in consequence, made his way to Apulia, and with a few friends took ship to Palestine, where he served the cross with honor. It is curious to speculate what change there might have been in the destiny of both France and England had he remained with the crusade to the capture of Constantinople, when he, and his yet greater son, Simon of Leicester, might have founded principalities in Greece or Thessaly and have worn out their lives in obscure and forgotten conflicts. When the Albigensian

* Regest. VII. 229; XV. 212; XVI. 87.—Fran. Tarafæ de Reg. Hisp.—Lafuente, Hist. de Esp. V. 492-5.—Mariana, Hist. de Esp. XII. 2.—L. Marinæi Siculi de Reb. Hisp. Lib. X.—Diez, Leben und Werke der Troubadours, 424.—Vaissette, III. 124. —Gest. Com. Barcenon. c. 24.

crusade was preached, one of the Cistercian abbots who devoted himself most earnestly to the work was Gui of Vaux-Cernay, who had been a Crusader with de Montfort at Venice. It was owing to his persuasion that the Duke of Burgundy took the cross on the present occasion, and he was the bearer of letters from the duke to de Montfort making him splendid offers if he would likewise take up arms. At de Montfort's castle of Rochefort, Gui found the pious count in his oratory, and set forth the object of his mission. De Montfort hesitated, and then, taking up a psalter, opened it at random and placed his finger on a verse which he asked the abbot to translate for him. It read:

"For he shall give his angels charge over thee, to keep thee in all thy ways. They shall bear thee in their hands, that thou hurt not thy foot against a stone" (Ps. xci. 11, 12).

The divine encouragement was manifest. De Montfort took the cross, which was to be his life's work, and the brilliant valor of the Catalan knight proved no match for the deep earnestness of the Norman, who felt himself an instrument in the hand of God.*

With the capture of Carcassonne the Crusaders seem to have felt that their mission was accomplished; at least, the brief service of forty days which sufficed to earn the pardon was rendered, and they were eager to return home. The legate naturally held that the conquered territory was to be so occupied and organized that heresy should have no further foothold there, and it was offered first to the Duke of Burgundy and then successively to the Counts of Nevers and St. Pol, but all were too wary to be tempted, and alleged in refusal that the Viscount of Béziers had already been sufficiently punished. Then two bishops and four knights, with Arnaud at their head, were appointed to select the one on whom the confiscated land should be bestowed; and these seven, under the manifest influence of the Holy Ghost, unanimously selected de Montfort. We may well believe, from his reputation for sagacity, that his unwillingness to accept the offer was unfeigned, and that after prayers had proved unavailing, he yielded only to the absolute commands of the legate, speaking with all the authority of

* Pet. Sarnens. c. 16–18.—Joann. Iperii. Chron. ann. 1201.—Geoff. de Villehardouin, c. 55.—Alberic. Trium Font. ann. 1202.—Guillem de Tudela, xxxv.

the Holy See. He made it a condition, however, that the continued and efficient support which he foresaw would be requisite should be given him. This was duly promised, with little intention of fulfilment. The Count of Nevers, between whom and the Duke of Burgundy a mortal quarrel had arisen, withdrew almost immediately after the capture of Carcassonne, and with him the great body of the Crusaders. The duke remained for a short time, when he likewise turned his face homewards, and de Montfort was left with but about forty-five hundred men, mostly Burgundians and Germans, for whose services he was obliged to offer double pay.*

De Montfort's position was perilous in the extreme. It mattered little that in August, during the full flush of success, the legates had held a council in Avignon which ordered all bishops to swear every knight, noble, and magistrate in their dioceses to exterminate heresy, or that such an oath had already been forced upon Montpellier and other cities which were trembling before the wrath to come. Such oaths, extorted by fear, were but an empty form, and the homage which de Montfort received from his new vassals was equally hollow. It is true that he regulated his boundaries with Raymond, who promised to marry his son with de Montfort's daughter, and he styled himself Viscount of Béziers and Carcassonne, but Pedro of Aragon refused to receive his homage, and secretly comforted the castellans who still held out with promises of early assistance, while others who had submitted revolted, and castles which had been occupied were recaptured. The country was recovering from its terror. An annoying partisan warfare sprang up; small parties of his men were cut off, and his rule extended no farther than the reach of his lance. At one time it was with difficulty that he restrained those who were with him in Carcassonne from flight; and when he set forth to besiege Termes it was almost impossible to find a knight willing to assume command of Carcassonne, so dangerous was the post considered. Yet with all this he succeeded in subduing additional strongholds, and extended his dominion over the Albigeois and into the territory

* Pet. Sarnens. c. 17*bis*.—Vaissette, III. Pr. 19.—Regest. XII. 108.—Pierre de Vaux-Cernay asserts that de Montfort was able to retain but thirty knights, but this is manifestly an exaggeration.

of the Count of Foix. He hastened, moreover, to acquire the good graces of Innocent, whose confirmation of his new dignity was requisite, and whose influence for further succor he earnestly implored. All tithes and first-fruits were to be rigorously paid to the churches; any one remaining under excommunication for forty days was to be heavily fined according to his station; Rome, in return for the treasures of salvation so lavishly expended, was to receive from a devastated land an annual tax of three deniers on every hearth, while a yearly tribute from the count himself was vaguely promised. To this, in November, Innocent replied, full of joy at the wonderful success which had wrested five hundred cities and castles from the grasp of heretics. He graciously accepted the offered tribute, and confirmed de Montfort's title to both Béziers and Albi, with an adjuration to be sleepless in the extirpation of heresy; but he could scarce have appreciated the Crusader's perilous position, for he excused himself from efficient aid on the score of complaints which reached him from Palestine that the succor sorely needed there had been diverted to subdue heretics nearer home. He therefore only called upon the Emperor Otho, the Kings of Aragon and Castile, and sundry cities and nobles from whom no real aid could be expected. The archbishops of the whole infected region were directed to persuade their clergy to contribute to him a portion of their revenues, and his troops were exhorted to be patient and to ask no pay until the following Easter; neither of which requests were likely to yield results. Somewhat more fruitful was the release of all Crusaders from any obligations which they might have assumed to pay interest on sums borrowed; but the most practical measure was one which forcibly illustrates the friendly and confidential intercourse which had existed between the heretics and the clergy in southern France, for all abbots and prelates throughout Narbonne, Béziers, Toulouse, and Albi were directed to confiscate for de Montfort's benefit all deposits placed by obstinate heretics for safe-keeping in their hands, the amount of which was said to be considerable.*

* Concil. Avenion. ann. 1209.—D'Achery Spicileg I. 706.—Pet. Sarnens. c. 20-26, 34.—Vaissette, III. Pr. 20.—Guillem de Tudela, xxxvi.—Regest. xii. 108, 109, 122, 123, 124, 125, 126, 129, 132, 136, 137; xiii. 86.—Teulet, Layettes, I. 340, No. 899.

By a very curious exegetical effort, the Dominicans succeed in convincing

After losing most of his conquests, de Montfort's position became more hopeful towards the spring of 1210, as his forces were swelled by the arrival of successive bands of "pilgrims"—as these peaceful folk were accustomed to style themselves—and his ambitious views expanded. The short term for which the cross was assumed rendered it necessary to turn the new-comers to immediate account, and de Montfort was unceasingly active in recovering his ground and in reducing the castles which still held out. It is not worth our while to follow in detail these exploits of military religious ardor, which, when successful, were usually crowned by putting the garrison to the sword and offering the non-combatants the choice between obedience to Rome and the stake—a choice which gave occasion to zealous martyrdom on the part of hundreds of obscure and forgotten enthusiasts. Lavaur, Minerve, Casser, Termes, are names which suggest all that man can inflict and man can suffer for the glory of God. The spirit of the respective parties was well exhibited at the capitulation of Minerve, where Robert Mauvoisin, de Montfort's most faithful follower, objected to the clause which spared the heretics who should recant, and was told by Legate Arnaud that he need not fear the conversion of many, as ample experience had shown their prevailing obstinacy. Arnaud was right; for, with the exception of three women, they unanimously refused to secure safety by apostasy, and saved their captors the trouble of casting them on the blazing pyre by leaping exultingly into the flames. If the playful zeal of the pilgrims sometimes manifested itself in eccentric fashion, as when they blinded the monks of Bolbonne and cut off their noses and ears till there was scarce a trace of the human visage left, we must remember the sources whence the Church drew her recruits, and the immunity which she secured for them, here and hereafter.*

If Raymond had fancied that he had skilfully saved himself at the expense of his nephew of Béziers, he had at last discovered his

themselves that Innocent's letter confirming Albi to de Montfort (XIII. 86) is an approbation of the Dominican Order and a proof that de Montfort was a member of it (Ripoll Bullar. Ord. FF. Prædicat. T. VII. p. 1).

* Guill. de Pod. Laurent. c. 17, 18.—Guillel. Nangiac. ann. 1210.—Rob. Autissiodor. Chron. ann. 1211.—Vaissette, III. Pr. 29, 35.—Guillem de Tudela, xlix., lxviii.—lxxi., lxxxiv.—Regest. XVI. 41.—Chron. Turon. ann. 1210.—Pet. Sarnens. c. 37, 52, 53.—Teulet, Layettes, I. 371, No. 968.

mistake. Arnaud of Citeaux had fully resolved upon his ruin, and de Montfort was eager to extend his lordship and the purity of the faith. Already, in the autumn of 1209, the citizens of Toulouse had been startled by a demand from the legate to surrender all whom his envoys might select as heretics, under pain of excommunication and interdict. They protested that there were no heretics among them; that all who were named were ready to purge themselves of heresy; that Raymond V. had, at their instance, passed laws against heretics, under which they had burned many and were burning all who could be found. Therefore they appealed to the pope, naming January 29, 1210, as the day for the hearing. At the same time de Montfort had notified Raymond that unless the legate's demands were conceded he would assail him and enforce obedience. Raymond replied that he would settle the matter with the pope, and lost no time in appealing in person to Philip Augustus and the Emperor Otho, from whom he received only fair words. On reaching Rome he was apparently more fortunate. He had a strong case. He had never been convicted, or even tried, for the crimes whereof he was accused; he had always professed obedience to the Church and readiness to prove his innocence, according to the legal methods of the age, by canonical purgation; he had undergone cruel penance as though convicted, and had been absolved as though forgiven, since when he had rendered faithful and valuable service against his friends and had made what reparation he could to the churches which he had despoiled. He boldly asserted his innocence, demanded a trial, and claimed the restoration of his castles. Innocent seems at first to have been touched by the wrongs inflicted on him and the ruin impending over him; but if so the impression was but momentary, and he returned to the duplicity which thus far had worked so well. The citizens of Toulouse he pronounced to have justified themselves, and ordered their excommunication removed. As regards Raymond, he instructed the Archbishops of Narbonne and Arles to assemble a council of prelates and nobles for the trial which Raymond so earnestly demanded. If there an accuser should assert his heresy and responsibility for the murder of Pierre de Castelnau, both sides should be heard and judgment be rendered and sent to Rome for final decision; if no formal accuser appeared, then fitting purgation should be assigned to him, on performance

of which he should be declared a good Catholic and his castles be restored. All this was fair seeming enough, yet it is impossible not to see the purposed deceit in an accompanying letter to the legate Arnaud, praising him warmly for what had been done and explaining that the conduct of the matter had been ostensibly intrusted to the new commissioner, Master Theodisius, merely as a lure for Raymond; or, to use the pope's own words, that the legate was to be the hook of which Theodisius was the bait. Instructions were also given as to some minor matters, and to lull Raymond to a more complete sense of security, on his final audience Innocent presented him with a rich mantle and with a ring which he drew from his own finger.*

Joy reigned in Toulouse when the count returned, bringing with him the removal of the interdict and the promise of a speedy settlement of the troubles. Legate Arnaud entered fully into the spirit of his instructions and suddenly became friendly and affectionate. We even hear of a visit paid by him and de Montfort to Raymond in Toulouse, where they were magnificently received; and Raymond, it is said, was persuaded to give the citadel of the town, known as the Château Narbonnois, as a residence to the legate, from whose hands it passed into those of de Montfort, costing eventually the lives of a thousand men for its recapture. Arnaud, moreover, exacted a promise of one thousand livres toulousains from the citizens before he would give effect to the papal letters removing the interdict; when one half was paid, he gave them his benediction, but a delay in raising the other half caused him to renew the interdict, which cost them much trouble to remove.†

Master Theodisius joined the legate at Toulouse, as we are told by a fiercely orthodox eye-witness, for the purpose of consulting with him as to the most plausible excuse for eluding Innocent's promise to Raymond of an opportunity of purgation, for they foresaw that he would purge himself and that the destruction of the faith would follow. The readiest method of obtaining this pious object lay in Raymond's failure to perform the impossible task assigned him of clearing his lands of heresy; but in order to avoid

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* Vaissette, III. Pr. 20, 23, 232-3.—Pet. Sarnens. c. 33, 34.—Guillem de Tudela, xl., xlii., xliii.—Regest. xii. 152, 153, 154, 155, 156, 168, 169, 170, 171, 173, 174, 175, 176.—Teulet, Layettes, I. 368, No. 968.

† Vaissette, III. Pr. 24-5, 234.—Guillem de Tudela, xliv.—Teulet, loc. cit.

the appearance of premeditated unfairness, the solemn mockery was arranged of assigning him a day three months distant, to appear at St. Gilles and offer his purgation as to heresy and the murder of the legate—a warning being added about his slackness in persecution. At the appointed time, in September, 1210, a number of prelates and nobles were assembled at St. Gilles, and Raymond presented himself with his compurgators in the full confidence of a final reconciliation with the Church. He was coolly informed that his purgation would not be received; that he was manifestly a perjurer in not having executed the promises to which he had repeatedly sworn, and his oath being worthless in minor matters, it could not be accepted in charges so weighty as those of heresy and legate-murder, nor were those of his accomplices any better. A man of stronger character would have been roused to fiery indignation at this contemptuous revelation of the deception practised on him; but Raymond, overwhelmed with the sudden destruction of his illusions, simply burst into tears—which was duly recorded by his judges as an additional proof of his innate depravity, and he was promptly again placed under the excommunication which it had cost him such infinite pains to remove. For form's sake, however, he was told that when he should clear the land of heresy and otherwise show himself worthy of mercy, the papal commands in his favor would be fulfilled. The Provencal was evidently no match for the wily Italians; and Innocent's approbation of this cruel comedy is seen in a letter addressed by him to Raymond, in December, 1210, expressing his grief that the count had not yet performed his promises as to the extermination of heretics, and warning him that if he did not do so his lands would be delivered to the Crusaders. Another epistle by the same courier to de Montfort, complaining of the scanty returns of the three-denier hearth-tax, shows that even Innocent kept an eye on the profitable side of persecution; while exhortations addressed to the Counts of Toulouse, Comminges, and Foix, and Gaston of Béarn, requiring them to help de Montfort, with threats of holding them to be fautors of heresy in case they resisted him, showed how completely all questions were prejudged and that they were doomed to be delivered up to the spoiler.*

* Pet. Sarnens. c. 39.—Regest. XIII. 188, 189; XVI. 39.—Guillem de Tudela, lviii.—Teulet, Layettes, I. 360, No. 948.

Raymond at length began to see what all clear-visioned men must long before have recognized, that his ruin was the deliberate purpose of the legates. Had the nobles of Languedoc been united at the beginning, they could probably have offered successful resistance to the spasmodic attacks of the Crusaders, but they were being devoured one by one, while Raymond, their natural leader, was kept idle with delusive hopes of reconciliation. The restoration of his castles was hopeless, and it was time for him to prepare himself as best he could for the inevitable war. With this object, to unite his subjects, he circulated a list of conditions which he said had been proposed to him at a conference in Arles, in February, 1211—conditions which were onerous and degrading to the last degree to the people as well as to himself—which would have placed the whole territory and its population under the control of the legates and of de Montfort, would have branded every inhabitant, Catholic as well as heretic, noble as well as villein, with the mark of servitude, and would have banished Raymond to the Holy Land virtually for life. Whether such demands were really made or not, their effect was great upon the people, who rallied around their sovereign and were ready for any self-sacrifice.*

That the list of conditions was supposititious is rendered probable by other negotiations in which Raymond desperately strove to avert the inevitable rupture. In December, 1210, we find him at Narbonne in conference with the legates, de Montfort, and Pedro of Aragon, where impracticable terms were offered him, and where Pedro finally consented to receive de Montfort's homage for Béziers. Shortly afterwards another meeting was held at Montpellier, equally fruitless, except for de Montfort, who made a treaty with Pedro and received from him his infant son Jayme, to be held as a hostage. Even in the spring of 1211 Raymond again visited de Montfort at the siege of Lavaur and allowed provisions to be supplied for a while to the Crusaders from Toulouse, although he had fruitlessly endeavored to prevent the marching of a con-

* The sole authority for this extraordinary document is Guillem de Tudela (lix., lx., lxi.), followed by the Historien du Comte de Toulouse (Vaissette, III. Pr. 30. Cf. Text p. 204 and notes p. 561, also Hardouin VI. II. 1998). Though generally accepted by historians, I cannot regard it as genuine, and its only explanation seems to me that it was manufactured by Raymond to arouse the indignation of his people.

tingent which the Toulousains furnished to the besiegers. Almost as soon as Lavaur was taken, May 3, 1211, de Montfort fell upon his territories and captured some of his castles, apparently without defiance or declaration of war, when he made a last miserable effort of submission by offering his whole possessions except the city of Toulouse, to be held by the legate and de Montfort as security for the performance of what might be demanded of him, reserving only his life and his son's right of inheritance. Even these terms were contemptuously rejected. He had so abased himself that he seems to have been regarded as no longer an element of weight in the situation. Besides, the Count of Bar was speedily expected with a large force of Crusaders, whose forty-days' term was to be utilized to the utmost, and the siege of Toulouse was resolved on.*

As soon as the citizens heard of this design they sent an embassy to the Crusaders to deprecate it. They had been reconciled to the Church, and had assisted at the siege of Lavaur, but they were sternly told that they would not be spared unless they would eject Raymond from the city and renounce their allegiance to him. This they refused unanimously. All the old civic quarrels were forgotten, and as one man they prepared for resistance. It is a noteworthy illustration of the strength of the republican institution of the civic commune, that the siege of Toulouse was the first considerable check received by the Crusaders. The town was well fortified and garrisoned; the Counts of Foix and Comminges had come at the summons of their suzerain, and the citizens were earnest in defence. They not only kept their gates open, but made breaches in the walls to facilitate the furious sallies which cost the besiegers heavily. The latter retired, June 29th, under cover of the night, so hastily that they abandoned their sick and wounded, having accomplished nothing except the complete devastation of the land—dwellings, vineyards, orchards, women and children were alike indiscriminately destroyed in their wrath—and de Montfort turned from the scene of his defeat to carry the same ravage into Foix. This final effort of self-defence was naturally construed as fautorship of heresy and drew from Innocent a fresh excommuni-

* Guill. de Pod. Laurent. c. 16, 17.—Pet. Sarnens. c. 43, 47, 49, 53, 54, 55.—Vaissette, III. Pr. 234.

cation of Raymond and of the city for "persecuting" de Montfort and the Crusaders.*

Encouraged by his escape, Raymond now took the offensive, but with little result. The siege of Castelnaudary was a failure, and a good deal of desultory fighting occurred, mostly to the advantage of de Montfort, whose military skill was exhibited to the best advantage in his difficult position. The crusade was still industriously preached throughout Christendom, and his forces were irregularly renewed with fresh swarms of "pilgrims" for forty-days' service, so that he would frequently find himself at the head of a considerable army, which again would soon melt away to a handful. To utilize this varying stream of strangers of all nationalities in a difficult country which was bitterly hostile required capacity of a high order, and de Montfort proved himself thoroughly equal to it. His opponents, though frequently greatly superior in numbers, never ventured on a pitched battle, and the war was one of sieges and devastations, conducted on both sides with savage ferocity. Prisoners were frequently hanged, or less mercifully blinded or mutilated, and mutual hate grew stronger and fiercer as de Montfort gradually extended his boundaries and Raymond's territories grew less and less. The defection of his natural brother Baldwin, whom he had always treated with suspicion, and who had been won over by de Montfort when captured at Montferrand, before the siege of Toulouse, had been a severe blow to the national cause; how deeply felt was seen when, in 1214, he was treacherously given up and Raymond hanged him, with difficulty granting his last prayer for the consolations of religion.†

Early in 1212 the Abbot of Vaux-Cernay received in the bishopric of Carcassonne the reward of his zeal in furthering the crusade, and Legate Arnaud obtained the great archbishopric of Narbonne on the death or degradation of the negligent Berenger. Not content with the ecclesiastical dignity, Arnaud claimed to be likewise duke, giving rise to a vigorous quarrel with de Montfort, who, notwithstanding his devotion to the Church, had no intention of surrendering to it his temporal possessions. Possibly it was the

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* Vaissette, III. Pr. 38-40, 234-5.—Guill. de Pod. Laurent. c. 18.—Guillem de Tudela, lxxx.-lxxxiii.—Teulet, Layettes, I. 370, No. 968; 372, No. 975.

† Pet. Sarneus. c. 75.—Guill. de Pod. Laurent. c. 23.

commencement of coolness between them that induced Arnaud to favor the crusade preached at the request of Alonso IX. of Castile, at that time threatened by a desperate effort of the Moors, largely reinforced from Africa, to regain their Spanish possessions. Much as de Montfort needed every man, the new Archbishop of Narbonne marched into Spain at the head of a large force of Crusaders to swell the army with which the kings of Aragon, Castile, and Navarre advanced against the Saracen. It is characteristic of the tenacity of the man that, when the French contingent grew weary of the service and refused to advance after the capture of Calatrava, returning ingloriously home, Arnaud remained with those whom he could persuade to stay, and shared in the glory of Las Navas de Tolosa, where a cross in the sky encouraged the Christians, and two hundred thousand Moors were slain.*

The spring and summer of 1212 saw an almost unbroken series of successes for de Montfort, until Raymond's territories were reduced to Montauban and Toulouse, and the latter city, crowded with refugees from the neighboring districts, was virtually beleaguered, as the Crusaders from their surrounding strongholds made forays up to the very gates. De Montfort desired the papal confirmation of his new acquisitions, and for this application was made to Rome by the legates. Innocent seems to have been aroused to a sense of the scandal created by the faithful carrying out of his policy, for Raymond, though constantly claiming a trial, had never been heard or convicted, and yet had been punished by the seizure of nearly all his dominions. Innocent accordingly assumed a tone of grave surprise. It is true, he said, that the count had been found guilty of many offences against the Church, for which he had been excommunicated and his lands exposed to the first comer; but the loss of most of them had served as a punishment, and it must be remembered that, although suspected of heresy and of the murder of the legate, he had never been convicted, nor did the pope know why his commands to afford him an opportunity of purging himself had never been carried out. In the absence of a formal trial and conviction his lands could not be adjudged to another. The proper forms must be observed, or the Church

* Pet. Sarnens. c. 60.—Vaissette, III. 271-2.—Rod. Tolet. de Reb. Hispan. VIII. 2, 6, 11.—Rod. Santii Hist. Hispan. III. 35.

might be deemed guilty of fraud in continuing to hold the castles made over to it in pledge. Innocent evidently felt that his representatives, involved in the passions and ambitions of the strife, had done what could not be justified, and he wound up by ordering them to report to him the full and simple truth. Another letter, in the same sense, to Master Theodisius and the Bishop of Riez, cautioned them not to be remiss in their duty, as they were said to have thus far been, which undoubtedly refers to their withholding from Raymond the opportunity of justification. At the same time, a prolonged correspondence on the subject of the hearth-tax, and the acceptance of an opportune donation of a thousand marks from de Montfort, place Innocent in an unfortunate light as an upright and impartial judge.*

To this Theodisius and the Bishop of Riez replied with the transparent falsehood that they had not been remiss, but had repeatedly summoned Raymond to justify himself, and that Raymond had neglected to make reparation to certain prelates and churches, which was quite likely, seeing that de Montfort had been giving him ample occupation. They proceeded, however, to make a bustling show of activity in compliance with Innocent's present commands, and they called a council at Avignon to give a colorable pretext for pushing Raymond to the wall. Avignon, however, was fortunately unhealthy, so that many prelates refused to attend, and Theodisius had a timely sickness, rendering a postponement necessary. Another council was therefore summoned to convene at Lavaur, a castle not far from Toulouse, in the hands of de Montfort, who, at the request of Pedro of Aragon, graciously granted an eight days' suspension of hostilities for the purpose.†

The matter, in fact, had assumed a shape which could no longer be eluded. Pedro of Aragon, fresh from the triumph of Las Navas, was a champion of the faith who was not to be treated with contempt, and he had finally come forward as the protector of Raymond and of his own vassals. As overlord he could not passively see the latter stripped of their lands, and his interests in the whole region were too great for him to view with indifference the establishment of so overmastering a power as de Montfort was rapidly

* Pet. Sarnens. c. 59–64.—Regest. xv. 102, 103, 167–76.

† Pet. Sarnens. c. 66.—Regest. xvi. 39.

consolidating. The conquered fiefs were being filled with Frenchmen; a parliament had just been held at Pamiers to organize the institutions of the country on a French basis, and everything looked to an overturning of the old order. It was full time for him to act. He had already sent a mission to Innocent to complain of the proceedings of the legates as arbitrary, unjust, and subversive of the true interests of religion, and he came to Toulouse for the avowed purpose of interceding for his ruined brother-in-law. By assuming this position he was assuring the supremacy of the House of Aragon over that of Toulouse, with which it had had so many fruitless struggles in the past.*

Pedro's envoys drew from Innocent a command to de Montfort to give up all lands seized from those who were not heretics, and instructions to Arnaud not to interfere with the crusade against the Saracens by using indulgences to prolong the war in the Toulousain. This action of Innocent, coupled with the powerful intercession of Pedro, created a profound impression, and all the ecclesiastical organization of Languedoc was summoned to meet the crisis. When the council assembled at Lavaur, in January, 1213, a petition was presented by King Pedro, humbly asking mercy rather than justice for the despoiled nobles. He produced a formal cession executed by Raymond and his son and confirmed by the city of Toulouse, together with similar cessions made by the Counts of Foix and Comminges and by Gaston of Béarn, of all their lands, rights, and jurisdictions to him, to do with as he might see fit in compelling them to obey the commands of the pope in case they should prove recalcitrant. He asked restitution of the lands conquered from them, on their rendering due satisfaction to the Church for all misdeeds; and if Raymond could not be heard, the proposal was made that he should retire in favor of his young son —the father serving with his knights against the infidel in Spain or Palestine, and the youth being retained in careful guardianship until he should show himself worthy the confidence of the Church. All this, in fact, was virtually the same as the offers already transmitted by Pedro to Innocent.†

No submission could be more complete; no guarantees more

* Pet. Sarnens. c. 65.—Regest. xv. 212.—A. Molinier (Vaissette, Éd Privat, VI. 407).

† Regest. xv. 212; xvi. 42, 47.

absolute could be demanded. There was no pretence of shielding heretics, who could, under such a settlement, be securely exterminated; but the prelates assembled at Lavaur were under the domination of passions and ambitions and hatreds, the memory of wrongs suffered and inflicted, and the dread of reprisals, which rendered them deaf to everything that might interfere with the predetermined purpose. The ruin of the house of Toulouse was essential to their comfort—they might well believe even to their personal safety—and it was pressed unswervingly. As legates, Master Theodisius and the Bishop of Riez presided, while the assembled prelates of the land were led by the intractable Arnaud of Narbonne. All forms were duly observed. The legates, as judges, asked the opinion of the prelates as assessors, whether Raymond should be admitted to purgation. A written answer was returned in the negative, not only for the reason previously alleged, that he was too notorious a perjurer to be listened to, but also because of fresh offences committed during the war, the slaying of Crusaders who were attacking him being seriously included among his sins. As a further subterfuge it was agreed that the excommunication under which he lay could only be removed by the pope. Shielding themselves behind this answer, the legates notified Raymond that they could proceed no further without special license from the pope—a repetition of the eternal shifting of responsibility, like a shuttlecock from one player in the game to another—and when Raymond implored for mercy and begged an interview, he was coldly told that it would be useless trouble and expense for both parties. There remained the appeal of King Pedro to be disposed of, and this was treated with the same disingenuous evasion. The prelates undertook to answer this without the legates, so as to be able to say that Raymond's affairs were out of their hands, as he had himself committed them to the legates; and, besides, his excesses had rendered him unworthy of all mercy or kindness. As for the other three nobles, their crimes were recited, especially their self-defence against the Crusaders, and it was added that if they would satisfy the Church and obtain absolution, their complaints would be listened to; but no method was indicated by which absolution could be obtained, and no notice was deigned to the guarantees offered in Pedro's petition. Indeed, Arnaud of Narbonne, in his capacity of legate, wrote to

him in violent terms, threatening him with excommunication for consorting with excommunicants and accused heretics, and his request for a truce until Pentecost, or at least until Easter, was refused on the ground that it would interfere with the success of the crusade, which was still preached in France with a vigor justifying doubts of the sincerity of Innocent's orders to the contrary.*

The whole proceedings were so defiant a mockery of justice that there was a very manifest alarm lest Innocent should repudiate them and yield to the powerful intercession of King Pedro. Master Theodisius and several bishops were despatched to Rome with the documents so as to bring personal influence to bear. The prelates of the council addressed him, adjuring him by the bowels of the mercy of God not to draw back from the good work which he had commenced, but to lay his axe to the root of the tree and cut it down forever. Raymond was painted in the blackest colors. The effort he had made to obtain succor from the Emperor Otho, and the assistance at one time rendered him by Savary de Mauleon, lieutenant of King John in Aquitaine, were skilfully used to excite odium, as both these monarchs were hostile to Rome; and he was even accused of having implored help from the Emperor of Morocco, to the subversion of Christianity itself. Fearing that this might be insufficient, letters were showered on Innocent by bishops from every part of the troubled region, assuring him that peace and prosperity had followed on the footsteps of the Crusaders, that the land which had been ravaged by heretics and bandits was restored to religion and safety, that if but one more supreme effort were made and the city of Toulouse were wiped out, with its villainous brood, wicked as the children of Sodom and Gomorrah, the faithful could enjoy the Land of Promise; but that if Raymond were allowed to raise his head, chaos would come again, and it would be better for the Church to take refuge among the barbarians. Yet in all this nothing was said to the pope of the guarantees offered through King Pedro, who was obliged, in March, 1213, to transmit to Rome copies of the cessions executed by the inculpated nobles, duly authenticated by the Archbishop of Tarragona and his suffragans.†

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* Regest. xvi. 39, 42, 43.—Pet. Sarnens. c. 66.

† Regest. xvi. 40, 41, 43, 44, 45, 46, 47.

Master Theodisius and his colleagues found the task harder than they had anticipated. Innocent had solemnly declared that Raymond should have the opportunity of vindication, and that condemnation should only follow trial. He was now required to eat his words, while the persistent refusal to allow a trial must have shown him that the charges so industriously made were destitute of proof. The struggle was hard for a proud man, but he finally yielded to the pressure, though the delay of the decision until May 21, 1213, shows what effort it cost. When the decree came, however, its decisiveness proved that pride and consistency had been overcome. Innocent's letters to his legates have not reached us—perhaps a prudent reticence kept them out of the Regesta—but to Pedro he wrote sternly, commanding him to abandon the protection of heretics unless he was ready to be included in the objects of the new crusade which was threatened if further resistance was attempted. The orders which Pedro had obtained for the restoration of non-heretical lands were withdrawn as granted through misrepresentation, and the lords of Foix, Comminges, and Navarre were remitted to the discretion of Arnaud of Narbonne. The city of Toulouse could obtain reconciliation by banishment and confiscation inflicted on all whom Foulques, its fanatic bishop, might point out, and no peace or truce or other engagement entered into with heretics was to be observed. As to Raymond, the complete silence preserved with respect to him was more significant than could have been the severest animadversions. He was simply ignored, as though no further account was to be taken of him.*

Meanwhile both parties had proceeded without waiting the event in Rome. In France the crusade had been vigorously preached; Louis Cœur-de-Lion, son of Philip Augustus, had taken the cross with many barons, and great hopes were entertained of the overwhelming force which would put an end to further resistance, when Philip's preparations for the invasion of England caused him to intervene and stop the movement which threatened seriously to interfere with his designs. On the other hand, King Pedro entered into still closer alliance with Raymond and the excommunicated nobles, and received an oath of fidelity from the

* Pet. Sarnens. c. 66, 70.—Regest. xvi. 48.

magistracy of Toulouse. When the papal mandate was received, he made a pretence of obeying it, but continued, nevertheless, his preparations for the war, among which the one which best illustrates the man and the age was his procuring from Innocent the renewal of Urban's bull of 1095, placing his kingdom under the special protection of the Holy See, with the privilege that it should not be subjected to interdict except by the pope himself. A *sirvente* by an anonymous troubadour shows how anxiously he was expected in Languedoc. He is reproached with his delays, and urged to come to collect his revenues from the Carcassès like a good king, and to suppress the insolence of the French, whom may God confound.*

The rupture came with a formal declaration of war from Pedro, accepted by de Montfort, though he had but few troops and the hoped-for reinforcements from France were not forthcoming; indeed, a legate sent by Innocent to preach the crusade for the Holy Land had turned in that direction all the effort which Philip would permit to be made. Pedro had left in Toulouse his representatives and had gone to his own dominions to raise forces, with which he recrossed the Pyrenees and was received enthusiastically by all those who had submitted to de Montfort. He advanced to the castle of Muret, within ten miles of Toulouse, where de Montfort had left a slender garrison, and was joined by the Counts of Toulouse, Foix, and Comminges, their united forces amounting to a considerable army, though far from the hundred thousand men represented by the eulogists of de Montfort. Pedro had brought about a thousand horsemen with him; the three counts, stripped of most of their dominions, can scarce have furnished a larger force of cavaliers, and the great mass of their array consisted of the militia of Toulouse, on foot and untrained in arms.†

The siege of Muret commenced September 10, 1213. Word was immediately carried to de Montfort, who lay about twenty-five miles distant at Fanjeaux, with a small force, including seven bishops and three abbots sent by Arnaud of Narbonne to treat

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* Pet. Sarnens. c. 66–8.—Regest. XVI. 87.—Raynouard, Lexique Roman, I. 512–3.

† Pet. Sarnens. c. 69, 70.—Vaissette, III. Note XVII.—A. Molinier (Vaissette, Éd. Privat, VII. 256).

with Pedro. Notwithstanding the disparity of numbers, he did not hesitate a moment to advance and succor his people. Sending back the Countess Alice, who was with him, to Carcassonne, where she persuaded some retiring Crusaders to return to his aid, he set forth at once, hastily collecting such troops as were within reach. At Bolbonne, near Saverdun, where he halted to hear mass, Maurin, the sacristan, afterwards Abbot of Pamiers, expressed wonder at his risking with a mere handful of men an encounter with a warrior so renowned as the King of Aragon. De Montfort in reply drew from his pouch an intercepted letter to a lady in Toulouse, in which Pedro assured her that he was coming out of love for her to drive the Frenchman from her land, and when Maurin asked him what he meant by it, he exclaimed, "What do I mean? God help me as much as I little fear him who comes for the sake of a woman to undo the work of God!" It was the God-trusting Norman against the chivalrous Catalan gallant, and he never doubted the result.

The next day de Montfort entered Muret, which was besieged only on one side, the enemy interposing no obstacle, as they hoped to capture the chief of the Crusaders. The bishops sought to negotiate with Pedro, but no terms could be reached, and the following morning, Thursday, September 13, the Crusaders, numbering perhaps a thousand cavaliers, sallied forth for the attack. As they passed, the Bishop of Comminges comforted them greatly by assuring them that on the Day of Judgment he would be their witness, and that none who might be slain would have to undergo the fires of purgatory for any sins which they had confessed or might intend to confess after the battle. The holy men then gathered in the church, praying fervently to God for the success of his warriors; and here we get a traditional glimpse of Dominic, who is said to have been one of the little band; indeed, we are gravely told by his followers that the ensuing victory was due to the devotion of the Rosary, which he invented and assiduously practised.

As de Montfort drew away in the opposite direction, the besiegers at first thought that he was abandoning the town, and they were only undeceived when he wheeled and they saw he had made a circuit to obtain a level field for the attack. Count Raymond counselled awaiting the onset behind the rampart of wagons

and exhausting the Crusaders with missiles, but the fiery Catalan rejected the advice as pusillanimous. Then armor was donned in hot haste, and the horsemen rushed forth in a confused mass, leaving the footmen to continue the labors of the siege. Emulous rather of the fame of a good knight than of a general, Pedro was immediately behind the vanguard, as two squadrons of the Crusaders came on in solid order, and was readily found by two renowned French knights, Alain de Roucy and Florent de Ville, who had concerted to set upon him. He was speedily thrown from his horse and slain. The confusion into which his followers were thrown was converted into a panic as de Montfort, at the head of a third squadron, charged them in flank. They turned and fled, followed by the Frenchmen, who slew them without mercy, and then, returning from the pursuit, fell upon the camp where the infantry had remained unconscious of the evil-fortune of the field. Here the slaughter was tremendous, until the flying wretches succeeded in crossing the Garonne, in which many were drowned. The loss of the Crusaders was less than twenty, that of the allies from fifteen to twenty thousand, and no one was hardy enough to doubt that the hand of God was visible in a triumph so miraculous, especially as on the last Sunday in August a great procession had been held in Rome with solemn ceremonies, followed by a two days' fast, for the success of the Catholic arms. Yet King Jayme tells us that his father's death, and the consequent loss of the battle, arose from his prevailing vice. The Albigensian nobles, to ingratiate themselves with him, had placed their wives and daughters at his disposal, and he was so exhausted by his excesses that on the morning of the battle he could not stand at the celebration of the mass.*

* Pet. Sarnens. c. 70-3.—Guillel. de Pod. Laurent. c. 21-22.—Guillel. Nangiac. ann. 1213.—Vaissette, III. Pr. 52-4.—Guillem de Tudela, cxxv.-cxl.—Zurita, Añales de Aragon, Lib. II. c. 63.—De Gestis Com. Barcenon. ann. 1213.—Bernard d'Esclot, Cronica del Rey en Pere, c. 6.—Campana, Storia di San Piero Martire p. 44.—Tamburini, Ist. dell' Inquisizione, I. 351-2.—Comentarios del Rey en Jacme c. 8 (Mariana, IV. 267-8).

Don Jayme himself, then a child in his sixth year, was still in the hands of de Montfort as a hostage, and if the Catalan chroniclers speak truth, it was with difficulty that the young king was recovered, even after Innocent III. had ordered his release.—L. Marinæi Siculi de Reb. Hispan. Lib. x.—Regest. XVI. 171.

With the few men at his command de Montfort was unable to follow up his advantage, and the immediate effect of the miraculous victory was scarcely perceptible. The citizens of Toulouse professed a desire for reconciliation, but when their bishop, Foulques, demanded two hundred hostages as security, they refused to give more than sixty, and when the bishop assented to this, they withdrew the offer. De Montfort made a foray into Foix, carrying desolation in his track, and showed himself before Toulouse, but was soon put on the defensive. When he came peaceably to the city of Narbonne, of which he claimed the overlordship, he was refused entrance; the same thing happened to him at Montpellier, and he was obliged to digest these affronts in silence. His condition, indeed, was almost desperate in the winter of 1214, when affairs suddenly took a different turn. The prohibition to preach the crusade in France was removed, and news came that an army of one hundred thousand fresh pilgrims might be expected after Easter. Besides this a new legate, Cardinal Peter of Benevento, arrived with full powers from the pope, and at Narbonne received the unqualified submission of the Counts of Toulouse, Foix, and Comminges, of Aimeric, Viscount of Narbonne, and of the city of Toulouse. All these agreed to expel heretics and to comply explicitly with all demands of the Church, furnishing whatever security might be demanded. Raymond, moreover, placed his dominions in the hands of the legate, at whose command he engaged to absent himself, either at the English court or elsewhere, until he could go to Rome; and in effect, on his return to Toulouse he and his son lived as private citizens with their wives, in the house of David de Roaix. Rome having thus obtained everything that she had ever demanded, the legate absolved all the penitents and reconciled them to the Church.

If the land expected peace with submission it was cruelly deceived. The whole affair had been but another act in the comedy which Innocent and his agents had so long played, another juggle with the despair of whole populations. The legate had merely desired to tide de Montfort over the time during which in his weakness he might have been overwhelmed, and to amuse the threatened provinces until the arrival of the fresh swarm of pilgrims. The trick was perfectly successful, and the monkish chronicler is delighted with the pious fraud so astutely conceived and

so dexterously managed. His admiring ejaculation, "O pious fraud of the legate! O fraudulent piety!" is the key which unlocks to us the secrets of Italian diplomacy with the Albigenses.*

In spite of King Philip's war with John of England and the Emperor Otho, the expected hordes of Crusaders, eager to win pardon so easily, poured down upon the unhappy southern provinces. Their initial exploit was the capture of Maurillac, notable to us as conveying the first distinct reference to the Waldenses in the history of the war. Of these sectaries, seven were found among the captives; they boldly affirmed their faith before the legate, and were burned, as we are told, with immense rejoicings by the soldiers of Christ. With his wonted ability de Montfort made use of his reinforcements to extend his authority over the Agenois, Quercy, Limousin, Rouergue, and Périgord. Resistance being now at an end, the legate, in January, 1215, assembled a council of prelates at Montpellier. The jealous citizens would not allow de Montfort to enter the town, though he directed the deliberations from the house of the Templars beyond the walls; and once, when he had been secretly introduced to attend a session, the people discovered it, and would have set upon him, had he not been conveyed away through back streets. The council fulfilled its functions by deposing Raymond and electing de Montfort as lord over the whole land; and, as the confirmation of Innocent was required, an embassy was sent to Rome, which obtained his assent. He declared that Raymond, who had never yet had the trial so often demanded, was deposed on account of heresy; his wife was to have her dower, and one hundred and fifty marks were assigned to her, secured by the Castle of Beaucaire. The final disposition of the territory was postponed for the decision of the general council of Lateran, called for the ensuing November; and meanwhile it was confided to the custody of de Montfort, whom the bishops were exhorted to assist and the inhabitants to obey, while from its revenues some provision was contemptuously ordered to be made for the support of Raymond. Bishop Foulques returned to his city of Toulouse, of which he was virtually master, under the legate

* Pet. Sarnens. c. 74–8.—Regest. xvi. 167, 170, 171, 172.—Guill. de Pod. Laurent. c. 24, 25.—Vaissette, III. 260–2; Pr. 239–42.—Teulet, Layettes, I. 399–402, No. 1068–9, 1073.

who continued to hold it and Narbonne, to keep them out of the hands of Louis Cœur-de-Lion, who was shortly expected in fulfilment of his Crusader's vow, taken three years previously; and the "faidits," as the dispossessed knights and gentlemen were called, were graciously permitted to seek a livelihood throughout the country, provided they never entered castles or walled towns, and travelled on ponies, with but one spur, and without arms.*

The battle of Bouvines had released France from the dangers which had been so threatening, and the heir-apparent could be spared for the performance of his vow. Louis came with a noble and gallant company, who earned the pardon of their sins by a peaceful pilgrimage of forty days. The fears which had been felt as to his intentions proved groundless. He showed no disposition to demand for the crown the acquisitions made by previous crusades, and advantage was taken of his presence to obtain temporary investiture for de Montfort, and to order the dismantling of the two chief centres of discontent—Toulouse and Narbonne. De Montfort's brother Gui took possession of the former city, and saw to the levelling of its walls. As for Narbonne, Archbishop Arnaud, mindful rather of his pretensions as duke than of the interests of religion, vainly protested against its being rendered defenceless. In making over Raymond's territories to de Montfort, however, Innocent had excepted the county of Melgueil, over which the Church had a sort of claim, and this he sold to the Bishop of Maguelonne, costing the latter, including gratifications to the creatures of the papal camera, no less a sum than thirty-three thousand marks. The transaction held good, in spite of the claims of the crown as the eventual heir of the Count of Toulouse, and, until the Revolution, the Bishops of Maguelonne or Montpellier had the satisfaction of styling themselves Counts of Melgueil. It was but a small share of the gigantic plunder, and Innocent would have best consulted his dignity by abstention.†

Meanwhile the two Raymonds had withdrawn—possibly to the English court, where King John is said to have given them

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* Pet. Sarnens. c. 80, 81, 82.—Harduin. Concil. VII. II. 2052.—Innocent. PP. III. Rubricella.—Teulet, Layettes, I. 410-10, Nos. 1099, 1113-16.—Guill. de Pod. Laurent. c. 24, 25.

† Pet. Sarnens. c. 82.—Vaissette, III. 269; Pr. 56.

ten thousand marks in return for the rendering of a worthless homage, to which is perhaps attributable the permission given by Philip Augustus to his son to perform the crusade and grant investiture to de Montfort of the lands thus transferred to English sovereignty.* Foreign humiliations and domestic revolt, however, rendered John useless as an ally or a suzerain, and Raymond awaited, with what patience he might, the assembling of the great council to which the final decision of his fate had been referred. Here, at least, he would have a last chance of being heard, and of appealing for the justice so long and so steadily denied him.

In April, 1213, had gone forth the call for the Parliament of Christendom, the Twelfth General Council, where the assembled wisdom and piety of the Church were to deliberate on the recovery of the Holy Land, the reformation of the Church, the correction of excesses, the rehabilitation of morals, the extirpation of heresy, the strengthening of faith, and the quieting of discord. All these were specified as the objects of the convocation, and two years and a half had been allowed for preparation. By the appointed day, November 1, 1215, the prelates had gathered together, and Innocent's pardonable ambition was gratified in opening and presiding over the most august assemblage that Latin Christianity had ever seen. The Frankish occupation of Constantinople gave opportunity for the reunion, nominal at least, of the Eastern and the Western churches, and Patriarchs of Constantinople and Jerusalem were there in humble obedience to St. Peter. All that was foremost in Church and State had come, in person or by representative. Every monarch had his ambassador there, to see that his interests suffered no detriment from a body which, acting under the direct inspiration of the Holy Ghost, and under the principle that temporal concerns were wholly subordinate to spiritual, might have little respect for the rights of sovereigns. The most learned theologians and doctors were at hand to give counsel as to points of faith and intricate questions of canon law. The princes of the Church were present in numbers wholly unprecedented. Besides patriarchs, there were seventy-one primates and metropolitans, four hundred and twelve bishops, more than eight hundred abbots and priors, and the countless delegates of those prelates who were un-

* Radulph. Coggeshall ann. 1213.

able to attend in person.* Two centuries were to pass away before Europe was again to show its collective strength in a body such as now crowded the ample dimensions of the Basilica of Constantine; and it is a weighty illustration of the service which the Church has rendered in counteracting the centrifugal tendencies of the nations, that such a federative council of Christendom, attainable in no other way, was brought together at the summons of the Roman pontiff. Without some such cohesive power modern civilization would have worn a very different aspect.

The Counts of Toulouse, Foix, and Comminges had reached Rome in advance, where they were joined by the younger Raymond, coming through France from England disguised as the servitor of a merchant, to escape the emissaries of de Montfort. In repeated interviews with Innocent they pleaded their cause, and produced no little impression on him. Arnaud of Narbonne, embittered by his quarrel with de Montfort, is said to have aided them, but the other prelates, to whom it was almost a question of life or death, were so violent in their denunciations of Raymond, and drew so fearful a picture of the destruction impending over religion, that Innocent, after a short period of irresolution, was deterred from action. De Montfort had sent his brother Gui to represent him, and when the council met both parties pressed their claims before it. Its decision was prompt, and, as might be expected, was in favor of the champion of the Church. The verdict, as promulgated by Innocent, December 15, 1215, recited the labors of the Church to free the province of Narbonne from heresy, and the peace and tranquillity with which its success had been crowned. It assumed that Raymond had been found guilty of heresy and spoliation, and therefore deprived him of the dominion which he had abused, and sentenced him to dwell elsewhere in penance for his sins, promising him four hundred marks a year so long as he proved obedient. His wife was to retain the lands of her dower, or to receive a competent equivalent for them. All the territories won by the Crusaders, together with Toulouse, the centre of heresy, and Montauban, were granted to de Montfort, who was extolled as the chief instrument in the triumph of the faith. The other possessions of Raymond, not as yet conquered, were to be

* Chron. Fossæ Novæ ann. 1215.

held by the Church for the benefit of the younger Raymond, to be delivered to him when he should reach the proper age, in whole or in part, as might be found expedient, provided he should manifest himself worthy. So far as Count Raymond was concerned, the verdict was final; thereafter the Church always spoke of him as "the former count," "*quondam comes*." Subsequent decisions as to Foix and Comminges at least arrested the arms of de Montfort in that direction, although they proved far less favorable to the native nobles than they appeared on the surface.*

The highest tribunal of the Church Universal had spoken, and in no uncertain tone; and we may see a significant illustration of the forfeiture of its hold on popular veneration in the fact that this, in place of meeting with acquiescence, was the signal of revolt. Apparently the decision had been awaited in the confidence that it would repair the long course of wrong and injustice perpetrated in the name of religion; and, with the frustration of that hope, there was no hesitation in resorting to resistance, with the national spirit inflamed to the highest pitch of enthusiasm. If de Montfort thought that his conquests were secured by the voice of the Lateran fathers, and by King Philip's reception of the homage which he lost no time in rendering, he only showed how little he had learned of the temper of the race with which he had to deal. Yet in France he was naturally the hero of the hour, and the journey on his way to tender allegiance was a triumphal progress. Crowds flocked to see the champion of the Church; the clergy marched forth in solemn procession to welcome him to every town, and those thought themselves happy who could touch the hem of his garment.†

The younger Raymond, at this time a youth of eighteen, hardened by years of adversity, was winning in manner, and is said to have made a most favorable impression on Innocent, who dismissed him with a benediction and good advice; not to take what belonged to another, but to defend his own—"res de l'autrui non pregas; lo teu, se degun lo te vol hostar, deffendas"—and he made

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* Guillem de Tudela, cxlii.–cliii.—Vaissette, III. 280–1; Pr. 57–63.—Teulet, Layettes, I. 420, No. 1132.—Pet. Sarnens. c. 83.—D'Achery I. 707.—Molinier, L'Ensevelissement du Comte de Toulouse, Angers, 1885, p. 6.

† Pet. Sarnens. c. 83.

haste to follow the counsel, according to his own interpretation. The part of his inheritance which had been reserved for him under custody of the Church lay to the east of the Rhone, and thither, on their return from Italy, early in 1216, father and son took their way, to find a basis of operations. The outlook was encouraging, and after a short stay the elder Raymond proceeded to Spain to raise what troops he could. Marseilles, Avignon, Tarascon—the whole country, in fact—rose as one man to welcome their lord, and demanded to be led against the Frenchmen, reckless of the fulminations of the Church, and placing life and property at his disposal. The part which the cities and the people play in the conflict becomes henceforth even more noticeable than heretofore—the semi-republican communes fighting for life against the rigid feudalism of the North. How subordinated was the religious question, and how confused were religious notions, is manifested by the fact that, while thus warring against the Church, at the siege of the castle of Beaucaire, when entrenchments were necessary against the relieving army of de Montfort, Raymond's chaplain offered salvation to any one who would labor on the ramparts, and the townsfolk set eagerly to work to obtain the promised pardons. The people apparently reasoned little as to the source from whence indulgences came, nor the object for which they were granted.*

De Montfort met this unexpected turn of fortune with his wonted activity, but his hour of prosperity was past, and one might almost say, with the Church historians, that he was weighed down by the excommunication launched at him by the implacable Arnaud of Narbonne, whom he had treated harshly in their quarrel over the dukedom—an excommunication which he wholly disregarded, not even intermitting his attendance at mass, though he had looked upon the censures of the Church with such veneration when they were directed against his antagonists. Obliged, after hard fighting, to leave Beaucaire to its fate, he marched in angry mood to Toulouse, which was preparing to recall its old lord. He set fire to the town in several places, but the citizens barricaded the streets, and resisted his troops step by step, till accommodation was made, and he agreed to spare the city for the immense

* Guillem de Tudela, cliii.-viii.—Guill. de Pod. Laurent. c. 27-8.—Vaissette, III. Pr. 64-66.—Pet. Sarnens. c. 83.

sum of thirty thousand marks; but he destroyed what was left of the fortifications, filled up the ditches, rendered the place as defenceless as possible, and disarmed the inhabitants. Despite his excommunication, he still had the earnest support of the Church. Innocent died July 20, 1216, but his successor, Honorius III., inherited his policy, and a new legate, Cardinal Bertrand of St. John and St. Paul, was, if possible more bitter than his predecessors in the determination to suppress the revolt against Rome. The preaching of the crusade had been resumed, and in the beginning of 1217, with fresh reinforcements of Crusaders and a small contingent furnished by Philip Augustus, de Montfort crossed the Rhone, and made rapid progress in subduing the territories left to young Raymond.

He was suddenly recalled by the news that Toulouse was in rebellion; that Raymond VI. had been received there with rejoicings, bringing with him auxiliaries from Spain; that Foix and Comminges, and all the nobles of the land, had flocked thither to welcome their lord, and that the Countess of Montfort was in peril in the Chateau Narbonnais, the citadel outside of the town, which he had left to bridle the citizens. Abandoning his conquests, he hastened back. In September, 1217, commenced the second siege of the heroic city, in which the burghers displayed unflinching resolve to preserve themselves from the yoke of the stranger---or perhaps, rather, the courage of desperation, if the account is to be believed that the cardinal-legate ordered the Crusaders to slay all the inhabitants, without distinction of age or sex. In spite of the defenceless condition of the town, which men and women unitedly worked night and day to repair; in spite of the threatening and beseeching letters which Honorius wrote to the Kings of Aragon and France, to the younger Raymond, the Count of Foix, the citizens of Toulouse, Avignon, Marseilles, and all whom he thought to deter or excite; in spite of heavy reinforcements brought by a vigorous renewal of preaching the crusade, for nine weary months the siege dragged on, in furious assaults and yet more furious sallies, with intervals of suspended operations as the crusading army swelled or decreased. De Montfort's brother Gui and his eldest son Amauri were seriously wounded. The baffled chieftain's troubles were rendered sorer by the legate, who taunted him with his ill-success, and accused him of ignorance or slackness in his

work. Sick at heart, and praying for death as a welcome release, on the morrow of St. John's day, 1218, he was superintending the reconstruction of his machines, after repelling a sally, when a stone from a mangonel, worked, as Toulousain tradition says, by women, went straight to the right spot—"E venc tot dret la peira lai on era mestiers"—it crushed in his helmet, and he never more spoke word. Great was the sorrow of the faithful through all the lands of Europe when the tidings spread that the glorious champion of Christ, the new Maccabee, the bulwark of the faith, had fallen as a martyr in the cause of religion. He was buried at Haute-Bruyère, a cell of the Monastery of Dol, and the miracles worked at his tomb showed how acceptable to God had been his life and death, though there were not wanting those who drew the moral that his sudden downfall, just as his success seemed to be firmly established, was the punishment of neglecting the persecution of heresy in his eagerness to gratify his ambition.*

If proof were lacking of de Montfort's pre-eminent capacity it would be furnished by the rapid undoing of all that he had accomplished, in the hands of his son and successor Amauri. Even during the siege his prestige was yet such that, December 18, 1217, the powerful Jourdain de l'Isle-Jourdain made submission to him as Duke of Narbonne and Count of Toulouse and furnished as securities Géraud, Count of Armagnac and Fézenzac, Roger, Viscount of Fézenzaquet, and other nobles; and in February, 1218, the citizens of Narbonne abandoned their rebellious attitude. His death was regarded as the signal of liberation, and wherever the French garrisons were not too strong, the people arose, massacred the invaders, and gave themselves back to their ancient lords. Vainly did Honorius recognize Amauri as the successor to his father's lordships, put the two Raymonds to the ban, and grant Philip Augustus a twentieth of ecclesiastical revenues as an incentive to another cru-

* Pet. Sarnens. c. 83-6.—Guill. de Pod. Laurent. c. 28-30.—Vaissette, III. 271-2; Pr. 66-93.—Guillem de Tudela, clviii.-ccv.—Raynald. Annal. ann. 1217 No. 52, 55-62; ann. 1218 No. 55.—Martene Ampliss. Collect. I. 1129.—Annal. Waverliens. ann. 1218.—Bernardi Iterii Chron. ann. 1218.—Chron. Lemovicens. ann. 1218.—Guillel. Nangiac. ann. 1218.—Chron. Turonens. ann. 1218.—Roberti Autissiodor. Chron. ann. 1218.—Chron. S. Taurin. Ebroiceus. ann. 1218.—Chron. Joan Iperii ann. 1218.—Chron. Laudunens. ann. 1218.—Chron. S. Petri Vivi Senonens. Append. ann. 1218.—Alberici Trium Font. Chron. ann. 1218.

sade, while plenary indulgence was offered to all who would serve. Vainly did Louis Cœur-de-Lion, with his father's sanction, and accompanied by the Cardinal-Legate Bertrand, lead a gallant army of pilgrims which numbered in its ranks no less than thirty-three counts and twenty bishops. They penetrated, indeed, to Toulouse, but the third siege of the unyielding city was no more successful than its predecessors, and Louis was obliged to withdraw ingloriously, having accomplished nothing but the massacre of Marmande, where five thousand souls were put to the sword, without distinction of age or sex. Indeed, the pitiless cruelty and brutal licentiousness habitual among the Crusaders, who spared no man in their wrath, and no woman in their lust, aided no little in inflaming the resistance to foreign domination. One by one the strongholds still held by the French were wrested from their grasp, and but very few of the invaders founded families who kept their place among the gentry of the land. In 1220 a new legate, Conrad, tried the experiment of founding a military order under the name of the Knights of the Faith of Jesus Christ, but it proved useless. Equally vain was the papal sentence of excommunication and exheredation fulminated in 1221; and when, in the same year, Louis undertook a new crusade and received from Honorius a twentieth of the Church revenues to defray the expenses, he turned the army thus raised against the English possessions and captured La Rochelle, in spite of the protests of king and pope.*

Early in 1222, Amauri, reduced to desperation, offered to Philip Augustus all his possessions and claims, urging Honorius to support the proposal. The pope welcomed it as the only feasible mode of accomplishing the result for which years of effort had been fruitlessly spent, and he wrote to the king, May 14, representing that in this way alone could the Church be saved. The heretics who had hid themselves in caverns and mountain fastnesses where French

* Teulet, Layettes, I. 454, No. 1271; pp. 461-2, No. 1279-80; p. 466, No. 1301; p. 475, No. 1331; p. 511, No. 1435; p. 518, No. 1656.—Vaissette, III. 307, 316-17, 568; Pr. 98-102.—Raynald. Annal. ann. 1218, No. 54-57; ann. 1221, No. 44, 45.—Archives Nationales de France J. 430, No. 15, 16.—Guillel. de Pod. Laurent. c. 31-33.—Guillel. Nangiac. ann. 1219-1220.—Bernardi Itterii Chron. ann. 1219.—Robert. Autissiodor. Chron. ann. 1219.—Chron. Laudunens. ann. 1219.—Chron. Andrens. ann. 1219.—Alberici Trium Font. Chron. ann. 1219.—Martene Thesaur. I. 884.—Rymer, Fœdera, I. 229.

domination prevailed, came forth again as soon as the invaders were driven out, and their unceasing missionary efforts were aided by the common detestation in which the foreigner was held by all. The Church had made itself the national enemy, and we can easily believe the description which Honorius gives of the lamentable condition of orthodoxy in Languedoc. Heresy was openly practised and taught; the heretic bishops set themselves up defiantly against the Catholic prelates, and there was danger that the pestilence would spread throughout the land. In spite of all this, however, and of an offer of a twentieth of the church revenues and unlimited indulgences for a crusade, Philip turned a deaf ear to the entreaty; and when Amauri's offer was transferred to Thibaut of Champagne, and the latter applied to the king for encouragement, he was coldly told that if, after due consideration, he resolved on the undertaking, the king wished him all success, but could render him no aid nor release him from his obligations of service in view of the threatening relations with England. Possibly encouraged by this, the younger Raymond in June appealed to Philip as his lord, and, if he dared so to call him, as his kinsman, imploring his pity, and begging in the humblest terms his intervention to procure his reconciliation to the Church, and thus remove the incapacity of inheritance to which he was subjected.*

This must have been suggested by the expectation of the death of Raymond VI., which occurred shortly after, in August, 1222. It made no change in the political or religious situation, but is not without interest in view of the charge of heresy so persistently made and used as an excuse for his destruction. In 1218 he had executed his will, in which he left pious legacies to the Templars and Hospitallers of Toulouse, declared his intention of entering the latter order, and desired to be buried with them. On the morning of his sudden death he had twice visited for prayer the church of la Daurade, but his agony was short and he was speechless when the Abbot of St. Sernin, who had been hurriedly sent for, reached his bedside, to administer to him the consolations of religion. A Hospitaller who was present cast over him his cloak with the cross, to secure the burial of the body for his house; but a zealous pa-

* Vaissette, III. 319; Pr. 275, 276.—Raynald. Annal. ann. 1222, No. 44-47.—Guill. de Pod. Laurent. c. 47.—Teulet, Layettes, I. 546, No. 1537.

rishioner of St. Sernin pulled it off, and a disgraceful squabble arose over the dying man, for the abbot claimed the sepulture, as the death chanced to take place in his parish, and he summoned the people not to allow the corpse to be removed beyond its precincts. This ghastly struggle over the remains has its ludicrous aspect, from the fact that the Church would never permit the inhumation of its enemy, and the body remained unburied in spite of the reiterated pious efforts of Raymond VII., after his reconciliation, to secure the repose of his father's soul. It was in vain that the inquest ordered by Innocent IV., in 1247, gathered evidence from a hundred and twenty witnesses to prove that Raymond VI. had been the most pious and charitable of men and most obedient to the Church. His remains lay for a century and a half the sport of rats in the house of the Hospitallers, and when they disappeared piece-meal, the skull was still kept as an object of curiosity, at least until the end of the seventeenth century.*

After his father's death Raymond VII. pursued his advantage, and in December Amauri was reduced to offering again his claims to Philip Augustus, only to be exposed to another refusal. In May, 1223, there seem to have been hopes that Philip would undertake a crusade, and the Legate Conrad of Porto, with the bishops of Nimes, Agde, and Lodève wrote to him urgently from Béziers describing the deplorable state of the land in which the cities and castles were daily opening their gates to the heretics and inviting them to take possession. Negotiations with Raymond followed, and matters went so far that we find Honorius writing to his legate to look after the interest of the Bishop of Viviers in the expected settlement. There was fresh urgency felt for the pacification in the absence of any hope of assistance from the king, since the progress of the Catharan heresy was ever more alarming. Additional energy had been infused into it by the activity of its Bulgarian antipope. Heretics from Languedoc were resorting to him in increasing numbers and returning with freshened zeal; and his representative, Bartholomew, Bishop of Carcassonne, who styled himself, in imitation of the popes, Servant of the servants of the Holy Faith, was making successful efforts to

* Guill. de Pod. Laurent. c. 34.—Vaissette, III. 306, 331-4.—Molinier, L'Ensevelissement de Raimond VI.

spread the belief. Truces between Amauri and Raymond were therefore made and conferences held, and finally the legate called a council to assemble at Sens, July 6, 1223, where a final pacification was expected. It was transferred to Paris, because Philip Augustus desired to be present, and its importance in his eyes must have been great, since he set out on his journey thither in spite of a raging fever, to which he succumbed on the road, at Meudon, July 14. Raymond's well-grounded hopes were shattered on the eve of realization, for Philip's death rendered the council useless and changed in a moment the whole face of affairs.*

Though Philip showed his practical sympathy with de Montfort by leaving him a legacy of thirty thousand livres to assist him in his Albigensian troubles, his prudence had avoided all entanglements, and he had steadily rejected the proffer of the de Montfort claims. Yet his sagacity led him to prophesy truly that after his death the clergy would use every effort to involve Louis, whose feeble health would prove unequal to the strain, and the kingdom would be left in the hands of a woman and a child. It was probably the desire to avert this by a settlement which led him to make the fatal effort to attend the council, and his prediction did not long await its fulfilment. Louis, on the very day of his coronation, promised the legate that he would undertake the matter; Honorius urged it with vehemence, and in February, 1224, Louis accepted a conditional cession from Amauri of all his rights over Languedoc. Raymond thus found himself confronted by the King of France as his adversary.†

The situation was full of new and unexpected peril. But a month before, Amauri, in utter penury, had been obliged to surrender what few strongholds he yet retained, and had quitted forever the land which he and his father had cursed, a portion of Philip's legacy being used to extricate his garrisons. The triumph, so long hoped for and won by so many years of persistent struggle, was a Dead-Sea apple, full of ashes and bitterness. The discomfited adversary was now replaced by one who was rash and enter-

* Vaissette, III. Pr. 276, 282.—Teulet, Layettes, I. 561, No. 1577.—Raynald. Annal. ann. 1222, No. 48.—Matt. Paris ann. 1223, p. 219.

† Alberici Trium Font. Chron. anu. 1223.—Guill. de Pod. Laurent. c. 34.—Vaissette, III. Pr. 290.—Raynald. Annal. ann. 1223, No. 41-45.—Teulet, Layettes, II. 24, No. 1631.

prising, who wielded all the power gained by Philip's long and fortunate reign, and whose pride was enlisted in avenging the check which he had received five years before under the walls of Toulouse. Already in February he wrote to the citizens of Narbonne, praising their loyalty and promising to lead a crusade three weeks after Easter, which should restore to the crown all the lands forfeited by the house of Toulouse. Zealous as he was, however, he felt that the eagerness of the Church warranted him in driving the best bargain he could for his services to the faith, and he demanded as conditions of taking up arms that peace abroad and at home should be assured to him, that a crusade should be preached with the same indulgences as for the Holy Land, that all his vassals not joining in it should be excommunicated, that the Archbishop of Bourges should be legate in place of the Cardinal of Porto, that all the lands of Raymond, of his allies, and of all who resisted the crusade should be his prize, that he should have a subsidy of sixty thousand livres parisis a year from the Church, and that he should be free to return as soon or remain as long as he might see fit.*

Louis asserted that these conditions were accepted, and went on with his preparations, while Raymond made desperate efforts to conjure the coming storm. Henry III. of England used his good offices with Honorius, and Raymond was encouraged to make offers of obedience through envoys to Rome, whose liberalities among the officials of the curia are said to have produced a most favorable impression. Honorius replied in a most gracious letter, promising to send Romano, Cardinal of Sant' Angelo, as legate to arrange a settlement, and he followed this by informing Louis that the offers of Frederic II. to recover the Holy Land were so favorable that everything else must be postponed to that great object, and all indulgences must be used solely for that purpose; but that if he will continue to threaten Raymond, that prince will be forced to submit. Instructions were at the same time sent to Arnaud of Narbonne to act with other prelates in leading Raymond to offer acceptable terms. Louis, justly indignant at being thus played with, made public protestation that he washed his hands of the whole business, and told the pope the curia might come to what terms it pleased with Raymond, that he had noth-

* Vaissette, III. Pr. 285, 291–3.—Gesta Ludovici VIII. ann. 1224.

ing to do with points of faith, but that his rights must be respected and no new tributes be imposed. At a parliament held in Paris, May 5, 1224, the legate withdrew the indulgences granted against the Albigenses and approved of Raymond as a good Catholic, while Louis made a statement of the whole transaction in terms which showed how completely he felt himself to be duped. He turned his military preparations to account, however, by wrenching from Henry III. a considerable portion of the remaining English possessions in France.*

The storm seemed to be successfully conjured. Nothing remained but to settle the terms, and Raymond's escape had been too narrow for him to raise difficulties on this score. At Pentecost (June 2) with his chief vassals, he met Arnaud and the bishops at Montpellier, where he agreed to observe and maintain the Catholic faith throughout his dominions, and expel all heretics pointed out by the Church, confiscate their property and punish their bodies, to maintain peace and dismiss the bandit mercenaries, to restore all rights and privileges to the churches, to pay twenty thousand marks for reparation of ecclesiastical losses and for Amauri's compensation, on condition that the pope would cause Amauri to renounce his claims and deliver up all documents attesting them. If this would not suffice, he would submit himself entirely to the Church, saving his allegiance to the king. His signature to this was accompanied by those of the Count of Foix and the Viscount of Béziers. As an evidence of good faith he reinstated his father's old enemy, Theodisius, in the bishopric of Agde, which the quondam legate had obtained and from which he had been driven, and in addition he restored various other church properties. These conditions were transmitted to Rome for approbation with notice that a council would be held August 20 for their ratification, and Honorius returned an equivocal answer which might be construed as accepting them. On the appointed day the council met at Montpellier. Amauri sent a protest begging the bishops desperately not to throw away the fruits of victory within their grasp. The King of France, he said,

* Rymer, Fœdera I. 271.—Vaissette, III. 839–40; Pr. 283.—Raynald. Annal. ann. 1224, No. 40.—Gesta Ludovici VIII. ann. 1224.—Chron. Turonens. ann. 1224.—Guillel. Nangiac. ann. 1224.—Epistolæ Seculi XIII. Tom. I. No. 249 (Monument. Hist. German.).

was on the point of making the cause his own, and to abandon it now would be a scandal and a humiliation to the Church Universal. Notwithstanding this, the bishops received the oaths of Raymond and his vassals to the conditions previously agreed, with the addition that the decision of the pope should be followed as to the composition with Amauri, and that any further commands of the Church should be obeyed, saving the supremacy of the king and the emperor, for all of which satisfactory security was offered.*

What more the Church could ask it is hard to see. Raymond had triumphed over it and all the Crusaders whom it could muster, and yet he offered submission as complete as could reasonably have been exacted of his father in the hour of his deepest abasement. At this very time, moreover, a public disputation held at Castel-Sarrasin between some Catholic priests and Catharan ministers shows the growing confidence of heresy and the necessity of an accommodation if its progress was to be checked. Not less significant was a Catharan council held not long after at Pieussan, where, with the consent of Guillabert of Castres, heretic bishop of Toulouse, the new episcopate of Rasez was carved out of his see and that of Carcassès. Yet the vicissitudes and surprises in this business were not yet exhausted. In October, when Raymond's envoys reached Rome to obtain the papal confirmation of the settlement, they were opposed by Gui de Montfort, sent by Louis to prevent it. There were not wanting Languedocian bishops who feared that with peace they would be forced to restore possessions usurped during the troubles, and who consequently busied themselves with proving that Raymond was at heart a heretic. Honorius shuffled with the negotiation until the commencement of 1225, when he sent Cardinal Romano again to France with full powers as legate, and with instructions to threaten Raymond and to bring about a truce between France and England so as to free Louis's hands. He wrote to Louis in the same sense, while to Amauri he sent money and words of encouragement. His description of Languedoc, as a land of iron and brass

* Vaissette, III. Pr. 284, 296.—Vaissette, Éd. Privat, VIII. 804.—Baluz. Concil. Narbonn. pp. 60-64.—Gesta Ludovici VIII. ann. 1224.—Concil. Montispessulan. ann. 1224 (Harduin. VII. 131-33).—Grandes Chroniques, ann. 1224.—Guillel. Nangiac. ann. 1224.

of which the rust could only be removed by fire, shows the side which he had finally determined to take.*

After several conferences with Louis and the leading bishops and nobles, the legate convened a national council at Bourges in November, 1225, for the final settlement of the question. Raymond appeared before it, humbly seeking absolution and reconciliation; he offered his purgation and whatever amends might be required by the churches, promising to render his lands peaceful and secure and obedient to Rome. As for heresy, he not only engaged to suppress it, but urged the legate to visit every city in his dominions and make inquisition into the faith of the people, pledging himself to punish rigorously all delinquents and to coerce any town offering opposition. For himself, he was ready to render full satisfaction for any derelictions, and to undergo an examination as to his faith. On the other hand, Amauri exhibited the decrees of Innocent condemning Raymond VI. and bestowing his lands on Simon, and Philip's recognition of the latter. There was much wrangling in the council until the legate ordered each archbishop to deliberate separately with his suffragans and deliver to him the result in writing, to be submitted to the king and pope, under the seal of secrecy, enforced by excommunication.†

There is an episode in the proceedings of this council worth attention as an illustration of the relations between Rome and the local churches and the character of the establishment to which the heretics were invited to return with the gentle inducements of the stake and gibbet. After the ostensible business of the assemblage was over, the legate craftily gave to the delegates of

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* Vaissette, III. Pr. 284-5.—Schmidt I. 291.—Coll. Doat, XXIII. 269-70.—Rymer, Fœd. I. 273, 274, 281.—Raynald. Annal. ann. 1225, No. 28-34.—Teulet, Layettes, II. 47, No. 1694.

† Chron. Turonens. ann. 1225.—Matt. Paris ann. 1225, pp. 227-9.

A poetaster of the period, in describing the council, depicts Raymond's discomfiture with emphasis:

"Et s'i vint li quens de St. Gille,
Ki n'i fist vallant une tille
De sa besougne, quant vint là,
Qu' escuméniies s'en r'ala,
Ausi com il i fu venus,
Voire plus, s'il pot estre plus."
—Chronique de Philippe Mousket, 25385-90.

the chapters permission to depart, while retaining the bishops. The delegates thus dismissed were keen to scent some mischief in the wind; they consulted together and sent to the legate a committee from all the metropolitan chapters to say that they understood him to have special letters from the Roman curia demanding for the pope in perpetuity the fruits of two prebends in every episcopal and abbatial chapter and one in every conventual church. They adjured him, for the sake of God, not to cause so great a scandal, assuring him that the king and the barons would be ready to resist at the peril of life and dignity, and that it would cause a general subversion of the Church. Under this pressure the legate exhibited the letters and argued that the grant would relieve the Roman Church of the scandal of concupiscence, as it would put an end to the necessity of demanding and receiving presents. On this the delegate from Lyons quietly observed that they did not wish to be without friends in the Roman court, and were perfectly willing to bribe them; others represented that the fountain of cupidity never would run dry, and that the added wealth would only render the Romans more madly eager, leading to mutual quarrels which would end in the destruction of the city; others, again, pointed out that the revenues thus accruing to the curia, computed to be greater than those of the crown, would render its members so rich that justice would be more costly than ever; moreover, it was evident that the host of officials in each church, whom the pope would be entitled to appoint to look after the collections, would not only lead to infinite additional exactions, but would be used to control the elections of the chapters, and end by bringing them all under subjection to Rome. They wound up by assuring him that it was for the interest of Rome itself to abandon the project, for if oppression thus became universal it would be followed by universal revolt. The legate, unable to face the storm, agreed to suppress the letters, saying that he disapproved of them, but had had no opportunity of remonstrance, as they had only reached him after his arrival in France. An equally audacious proposition, by which the curia hoped to obtain control over all the abbeys in the kingdom, was frustrated by the active opposition of the archbishops. Heresy might well hold itself justifiable in keeping aloof from such a Church as this.*

* Chron. Turonens. ann. 1225.—Matt. Paris ann. 1225, pp. 237–8.—Possi-

What were really the conclusions reached in the Albigensian matter by the archiepiscopal caucuses no one might reveal, but with pope and king resolved on intervention there could be little doubt as to the practical result. Moreover, the stars in their courses had fought against Raymond, for in this critical juncture death had carried off Archbishop Arnaud of Narbonne, who had become his vigorous friend, and who was succeeded by Pierre Amiel, his bitter enemy. There could be no effective resistance to royal and papal wishes; it was announced that no peace honorable to the Church could be reached with Raymond, and that a tithe of ecclesiastical revenues for five years was offered to Louis if he would undertake the holy war. Reckless as was Louis, however, and eager to clutch at the tempting prize, he shrank from the encounter with the obstinate patriotism of the South while involved in hostilities with England. He demanded therefore that Honorius should prohibit Henry III. from disturbing the French territories during the crusade. When Henry received the papal letters he was eagerly preparing an expedition to relieve his brother, Richard of Cornwall, but his counsellors urged him not to prevent Louis from entangling himself in so difficult and costly an enterprise, and one of them, William Pierrepont, a skilled astrologer, confidently predicted that Louis would either lose his life or be overwhelmed with misfortune. In the nick of time, news arrived from Richard giving good accounts of his success; Henry's anxieties were calmed, and he gave the required assurances, in spite of an alliance into which he had shortly before entered with Raymond. As a further precaution to insure the success of the crusade, all private wars were forbidden during its continuance.*

bly the chroniclers may be guilty of exaggeration, for the letters of Honorius only ask for a single prebend in each cathedral and collegiate church (Martene Thesaur. I. 929). In either case the encroachments of Rome were only postponed, for in 1385 Charles le Sage complained that nearly all the benefices of France were practically held by the cardinals, who carried the revenue to Italy, so that the churches were falling to ruin, the abbeys deserted, the orphanages and hospitals diverted from their purpose, divine service had ceased in many places, and the lands of the Church were uncultivated. To remedy this, he seized all such revenues and ordered them to be expended on the objects for which they had been given to the Church (Ibid. I. 1612).

* Matt. Paris ann, 1226, p. 229.—Vaissette, III. 349.—Rymer, Fœd. I. 281.—Martene Collect. Nova, p. 104; Thesaur. I. 931.

The question of religion had practically disappeared by this time, except as an excuse for indulgences and ecclesiastical subsidies and as a cloak for dynastic expansion. If Raymond had not yet actively persecuted his heretic subjects it was merely because of the impolicy, under constant threats of foreign aggression, of alienating so large a portion of the population on which he relied for support. He had shown himself quite ready to do so in exchange for reconciliation to the Church, and he had urged the legate to establish an organized inquisition throughout his dominions. Amid all the troubles the Dominicans had been allowed to grow and establish themselves in his territories; and when their rivals in persecution, the Franciscans, had come to Toulouse, he had welcomed them and assisted them in taking root. In this very year, 1225, St. Antony of Padua, who stands next to St. Francis in the veneration of the order, came to France to preach against heresy, and in the Toulousain his eloquence excited such a storm of persecution as to earn for him the honorable title of the Tireless Hammer of Heretics. The coming struggle thus, even more than its predecessors, was to be a war of races, with the whole power of the North, led by the king and the Church, against the exhausted provinces which clung to Raymond as their suzerain. We cannot wonder that he was willing to submit to any terms to avert it, for he was left to breast the tempest alone. His greatest vassal, the Count of Foix, it is true, stood by him, but the next in importance, the Count of Comminges, made his peace, and is found acting for the king; the Count of Provence entered into the alliance against him, while, at a warning from Louis, Jayme of Aragon and Nuñez Sancho of Roussillon forbade their subjects from lending aid to the heretic.*

Meanwhile the crusade was organized on the largest scale. At a great parliament held in Paris, January 28, 1226, the nobles presented an address urging the king to undertake it and pledging their assistance to the end. He assumed the cross under condition that he should lay it aside when he pleased, and his example was followed by nearly all the bishops and barons, though we are told that many did so unwillingly, holding it an abuse to assail a faith-

* Waddingi Annal. Minorum ann. 1225, No. 14.—Vaissette, III. Pr. 305, 318.—Teulet, Layettes, II. 75, No. 1758; p. 79, No. 1768; p. 90, No. 1794.

ful Christian who, at the Council of Bourges, had offered all possible satisfaction. Amauri and his uncle Gui executed a renunciation of all their claims in favor of the crown; the cross was diligently preached throughout the kingdom, with the customary offer of indulgences, and the legate guaranteed that the ecclesiastical tithe granted for five years should amount to at least one hundred thousand livres per annum. The only cloud to mar the prospect was the discovery that Honorius had sent letters and legates to the barons of Poitou and Aquitaine, ordering them within a month to return to their allegiance to England in spite of any oaths taken to the contrary. This curious piece of treachery can only be explained by persuasive bribes from Raymond or from Henry III., and Louis promptly met it with liberal payments to the pope, by which he procured the suspension of the letters. This being got out of the way, another council was held March 29, where Louis commanded his lieges to assemble on May 17, at Bourges, fully equipped and prepared to remain with him as long as he should stay in the South. The forty day's service which had so repeatedly snatched from de Montfort the fruits of his victories was no longer to arrest the tide of a permanent conquest.*

On the appointed day the chivalry of the kingdom gathered around their monarch at Bourges, but before setting forth there was much to be done. Innumerable abbots and delegates from chapters besieged the king, imploring him not to reduce the national Church to servitude by exacting the tithe bestowed on him, and promising to make ample provision for his needs; but he was unrelenting, and they departed, secretly cursing both crusade and king. The legate was busy dismissing the boys, women, old men, paupers, and cripples who had assumed the cross. These he forced to swear as to the amount of money which they possessed; of this he took the major part and let them go after granting them absolution from the vow—an indirect way of selling indulgences which became habitual and produced large sums. Louis drove a thriving trade of the same kind from a higher class of Crusaders by accepting heavy payments from those who owed him service and were not ambitious of the glory or the perils of the expedition.

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* Vaissette, III. Pr. 300, 308–14.—Teulet, Layettes, II. 68–9, No. 1742–3.—Matt. Paris ann. 1226, p. 229.—Chron. Turonens. ann. 1225, 1226.

He also forced the Count of La Marche to send back to Raymond his young daughter Jeanne, betrothed to La Marche's son, and reserved, as we shall see, for loftier nuptials. To Bourges likewise flocked many of the nobles of Narbonne, eager to show their loyalty by doing homage to the king and to advise him not to advance through their district, which was devastated by war, but to march by way of the Rhone to Avignon—disinterested counsel which he adopted.*

Louis set forth from Lyons with a magnificent army consisting, it is said, of fifty thousand horse and innumerable foot. The terror of his coming preceded him; many of Raymond's vassals and cities made haste to offer their submission—Nîmes, Narbonne, Carcassonne, Albi, Béziers, Marseilles, Castres, Puylaurens, Avignon—and he seemed reduced to the last extremity. When the host reached Avignon, however, and Louis proposed to march through the city, the inhabitants, with sudden fear, shut their gates in his face, and though they offered him unmolested passage around it, he resolved on a siege, in spite of its being a fief of the empire. It had lain for ten years under excommunication, and was noted as a nest of Waldenses, so the Cardinal-Legate Romano ordered the Crusaders to purge it of heresy by force of arms. The task proved no easy one. From June 10 till about September 10 the citizens resisted desperately, inflicting heavy loss upon the besiegers. Raymond had devastated the surrounding country and was ever on the watch to cut off foraging-parties, so that supplies were scanty. An epidemic set in, and a plague of flies carried infection from the dead to the living. Disaffection in the camp aggravated the trouble. Pierre Mauclerc of Britanny was offended with Louis for traversing his plot of marriage with Jeanne of Flanders, whose divorce from her husband he had procured from the pope, and he entered into a league with Thibaut of Champagne and the Count of La Marche, who were all suspected of entertaining secret relations with the enemy. Thibaut even left the army without leave, after forty days of service, returned home and commenced strengthening his castles. The crusade, so brilliantly begun, was on the point of abandoning its first serious enterprise, when the Avignonese, reduced to the utmost straits, unexpectedly offered to capit-

* Chron. Turonens. ann. 1226.—Teulet, Layettes, II. 72, No. 1751.

ulate. Considering the customs of the age, the terms were not hard. They agreed to satisfy the king and Church, they paid a considerable ransom, their walls were thrown down and three hundred fortified houses in the town were dismantled, and they received as bishop, at the hands of the legate, Nicholas de Corbie, who instituted laws for the suppression of heresy. It was fortunate for Louis that the submission came when it did, for a few days later there occurred an inundation of the Durance which would have drowned his camp.*

From Avignon Louis marched westward, everywhere receiving the submission of nobles and cities until within a few leagues of Toulouse. The reduction of that obstinate focus of heresy was apparently all that remained to complete the ruin of Raymond and the success of the crusade, when Louis suddenly turned his face homeward. No explanation of this unlooked-for termination of the campaign is furnished by any of the chroniclers, but it is probably to be sought in the sickness which pursued the Crusaders, and possibly in the commencement of the disease which terminated the march and the life of the king at Montpensier on November 8—fulfilling the prophecy of Merlin, "In ventris monte morietur leo pacificus"—and not without suspicion of poisoning by Thibaut of Champagne. Throughout Europe, however, the retreat was regarded as the result of serious military reverses. Louis had designed to return the following year, and had left garrisons in the places which had submitted to him, with Humbert de Beaujeu, a renowned captain, in supreme command, and Gui de Montfort under him, but their feats of arms were few, though the burning of heretics was not neglected, when occasion offered, if only to maintain the sacred character of the war.†

Saved as by a miracle from the ruin which had seemed inevitable, Raymond lost no time in recovering a portion of his dominions. The death of Louis had worked a complete revolution in the situa-

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* Matt. Paris ann. 1226.—Teulet, Layettes, II. 71, 78, 81, 84, 85, 87, 89, 90, 91, 648-9.—Guillel. de Pod. Laurent. c. 35.—Vaissette, III. 354, 364.—Chron. Turonens. ann. 1226.—Guillel. Nangiac. ann. 1226.—Gesta Ludovici VIII. ann. 1226.

The city of Agen seems to have remained faithful to Raymond (Teulet, II. 82).

† Gesta Ludovici VIII. ann. 1226.—Matt. Paris ann. 1226.—Chron. Turonens. ann. 1226.—Guillel. de Pod. Laurent. c. 36, 38.—Alberti Stadens. Chron. ann. 1226.—Vaissette, III. 363.

tion, and, for a time at least, he had little to fear. It is true that Louis IX., a child of thirteen, was crowned without delay at Reims, and the regency was confided to his mother, Blanche of Castile, but the great barons were restive, and the conspiracy, hatched before the walls of Avignon, was yet in existence. Britanny, Champagne, and La Marche ostentatiously kept away from the coronation, delayed offering their homage, and intrigued with England. Early in 1227, however, they quarrelled, when a show of force and favorable terms brought them in one by one; short truces were made with Henry III. and the Viscount of Thouars, and a temporary respite was obtained. Gregory IX., who mounted the papal throne March 19, 1227, took the regent and the boy-king under the papal protection, on the ground of their being engaged in war against heresy; but the succors which they sent from time to time to de Beaujeu were probably only enough to give color to a continuance of the ecclesiastical tithe, which the four great provinces of Reims, Rouen, Sens, and Tours resisted till the legate authorized the regent to seize church property and compel the payment. Raymond thus was enabled to continue the struggle with varying fortune. The Council of Narbonne, held during Lent, 1227, in excommunicating those who had proved faithless to the oaths given to Louis shows that the people had returned to their ancient allegiance where they safely could; and in commanding a strict perquisition of heretics by the bishops and their punishment by the secular authorities, it indicates that even in territories held by the French the duties of persecution were slackly performed.*

The war dragged on through 1227 with varying result. De Beaujeu, assisted by Pierre Amiel of Narbonne and Foulques of Toulouse, captured, after a desperate siege, the castle of Bécède, when the garrison was slaughtered and the heretic deacon Géraud de Motte and his comrades were burned, the castellan, Pagan de

* Chron. Turonens. ann. 1226, 1227.—Martene Ampliss. Collect. I. 1210-13.—Potthast Regesta, 7897, 7920.—Vaissette, III. Pr. 323-5.—Guillel. Nangiac. ann. 1227.—Guillel. de Pod. Laurent. c. 38.—Matt. Paris ann. 1228.—Martene Thesaur. I. 940.—Concil. Narbonnens. ann. 1227 can. 13-17.—Vaissette, Éd. Privat, VIII. 265.

Letters of the Archbishop of Sens and Bishop of Chartres, in 1227, promising to pay to the king a subsidy for the crusade against the Albigenses are preserved in the Archives Nationales de France, J. 428, No. 8.

Bécède, becoming a "faidit" and a leader among the proscribed heretics, to be burned at last in 1233. Raymond recovered Castel-Sarrasin, but could not prevent the Crusaders from devastating the land up to the walls of Toulouse. The following year found both parties inclined for peace. We have seen that Raymond was eager to make sacrifices for it, even before the last crusade had stripped him of most of his possessions. The regent Blanche had ample motives to come to terms. With all her firmness and capacity the task before her was no easy one. The nobles of Aquitaine were corresponding with Henry III. who always cherished the hope of reconquering the ample territories wrenched from the English crown by Philip Augustus. The great barons, despising the rule of a woman, were quarrelling between themselves and involving a large portion of the kingdom in war. The hope of completing the conquest of the South could scarce repay the constant drain on the royal resources, while chronic warfare there was highly dangerous in the explosive condition of the realm. The difficulty of collecting the tithe from the recalcitrant churches was increasing, and it could not be continued permanently. Every motive of policy would therefore incline Queen Blanche to listen to the humble prayers for reconciliation which Raymond and his father had never ceased to utter, and a way of securing for the royal line the rich inheritance of the house of Toulouse seemed to offer itself in the fact that Raymond had but one child, Jeanne, still unmarried. A union between her and one of the younger brothers of St. Louis, with a reversion of the territories to them and to their heirs, would attain peaceably all the political advantages of the crusade, while, as to its religious objects, Raymond had left no doubts of his willingness to secure them.

Gregory IX. was quite content thus to close the war which Innocent had commenced twenty years before. Already, in March, 1228, he wrote to Louis IX., urging him to make peace according to the judgment of the legate, Cardinal Romano, who had full powers in the premises, and it was in the name of the legate that the first overtures were made to Raymond through the Abbot of Grandselve. That the marriage was the pivot upon which from the beginning the negotiations turned is shown by another letter of June 25, authorizing Romano to dispense with the impediment of consanguinity if the union between Jeanne and one of

the king's brothers would lead to peace. Another epistle of October 21, announcing to all the prelates of France that he had renewed the indulgences for a crusade against the Albigenses, would seem to show that the terms offered to Raymond were hard of acceptance, and that renewed pressure on him was necessary. This was enforced by extensive devastations in his territories, and in December, 1228, he gave the abbot full power to assent to whatever might be agreed upon by Thibaut of Champagne, who acted as mediator for him. A conference was held at Meaux, where we find the consuls of Toulouse also represented, and preliminaries were signed in January, 1229. Finally, on Holy Thursday, April 12, 1229, the long war came to an end. Before the portal of Nôtre Dame de Paris Raymond humbly approached the legate and begged for reconciliation to the Church; barefooted and in his shirt he was conducted to the altar as a penitent, received absolution in the presence of the dignitaries of Church and State, and his followers were relieved from excommunication. After this he constituted himself a prisoner in the Louvre until his daughter and five of his castles should be in the hands of the king, and five hundred toises of the walls of Toulouse should be demolished.*

The terms to which he had agreed were hard and humiliating. In the royal proclamation of the treaty, he is represented as acting at the command of the legate, and humbly praying Church and king for mercy and not for justice. He swore to persecute heresy with his whole strength, including heretics and believers, their protectors and receivers, and not sparing his nearest kindred, friends, and vassals. On all these speedy punishment was to be inflicted, and an inquisition for their detection was to be instituted in such form as the legate might dictate, while in its aid Raymond agreed to offer the large reward of two marks per head for every manifest ("perfected") heretic captured during two years, and one mark forever thereafter. As for other heretics, believers, receivers, and defenders, he agreed to do whatever the legate or pope should command. His *baillis*, or local officers,

* Bernard. Guidon. Vit. Gregor. PP. IX. (Muratori, S. R. I. III. 570-1).—Guillel. de Pod. Laurent. c. 38, 39.—Teulet, Layettes, II. 144, No. 1980.—Potthast Regesta, 8150, 8216, 8267.—Raynald. Annal. ann. 1228, No. 20-4.—Martene Thesaur. I. 943.—Vaissette, III. 377-8; Pr. 326-9, 335.

moreover, were to be good Catholics, free of all suspicion. He was to defend the Church and all its members and privileges; to enforce its censures by seizing the property of all who should remain for a year under excommunication; to restore all church lands and lands of ecclesiastics occupied since the commencement of the troubles, and to pay as damages for personal property taken the sum of ten thousand silver marks; to enforce for the future the payment of tithes, and, as a special fine, to pay five thousand marks to five religious houses named, besides six thousand marks to be expended in fortifying certain strongholds to be held by the king as security for the Church, and between three thousand and four thousand marks to support for ten years at Toulouse two masters in theology, two decretalists, and six masters in grammar and the liberal arts. Moreover, as penance, he agreed to assume the cross immediately on receiving absolution, and to proceed within two years to Palestine, to serve there for five years—a penance which he never performed, though repeatedly summoned to do so, until in 1247 he made preparations for a departure which was arrested by death. An oath was further to be administered to his people, renewable every five years, binding them to make active war upon all heretics, their believers, receivers, and fautors, and to help the Church and king in subduing heresy.

The interests of the Church and of religion being thus provided for, the marriage of Jeanne with one of the king's brothers was treated as a favor bestowed on Raymond. It was tacitly assumed that all his dominions had been forfeited, and the king graciously granted him all the lands comprised within the ancient bishopric of Toulouse, subject to their reversion after his death to his daughter and her husband, in such wise that whether there was issue of the marriage or not, or whether she survived her husband or not, they passed irrevocably to the royal family. Agen, Rouergue, Quercy, except Cahors, and part of Albi were likewise granted to Raymond, with reversion to his daughter in default of lawful heirs; but the king retained the extensive territories comprised within the duchy of Narbonne and the counties of Velay, Gévaudan, Viviers, and Lodève. The marquisate of Provence, beyond the Rhone, a dependency of the empire, was given to the Church. Raymond thus lost two thirds of his vast dominions.

In addition to this he was obliged to destroy the fortifications of Toulouse and of thirty other strongholds, and was prohibited from strengthening any in their stead; he was to deliver to the king eight other specified places for ten years, and to pay fifteen hundred marks per annum for five years for their maintenance; and he was to take active measures to reduce to subjection any recalcitrant vassals, especially the Count of Foix, who, being thus abandoned, came in the same year and made a humiliating peace. A general amnesty was proclaimed, and the "faidits," or ejected knights and gentlemen, were restored, excluding, of course, all who were heretics. Raymond, moreover, engaged to maintain peace throughout the land, and the *routiers*, or bandit mercenaries, who for fifty years had been the special objects of animadversion by the Church, were to be expelled forever. To all these conditions his vassals and people were to be sworn, obligating themselves to assist him in the performance; and if, after forty days' notice, he continued derelict on any point, all the lands granted him reverted to the king, his subjects' allegiance was transferred, and he fell back into his present condition of an excommunicate.*

The king's assumed right to the territories thus disposed of arose partly from the conquests of his father, and partly from Amauri, who a few days later executed a third cession of all his claims without reserve or consideration, other than what the king in his bounty might see fit to grant. The reward he obtained was the reversion of the dignity of Constable of France, which fell in the next year on the death of Matthieu de Montmorency. In 1237 he foolishly revived his claims, again styled himself Duke of Narbonne, made an unsuccessful effort to seize Dauphiné in right of his wife, and invaded the county of Melgueil, thereby incurring the wrath of Gregory IX., who ordered him as a penance to join the crusade then preparing to start for the Holy Land. In effect he did so, and Gregory generously granted him, to be paid after he was beyond seas, the large sum of three thousand marks out of the fund arising from the redemption of their vows by Crusaders staying at home—by this time a customary mode of selling indul-

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* Harduin. Concil. VII. 165-72.—Vaissette, III. 375; Pr. 329-35, 340-3.—Teulet, Layettes, II. 147-52, No. 1991-4; pp. 154-57, No. 1998-99, 2003-4.—Guill. de Pod. Laurent. c. 47.

gences, and one exceedingly lucrative, for this payment was assigned simply on the province of Sens and the lands of Amauri himself. In 1238 he sailed, and his customary ill-luck pursued him, for in 1241 we hear of him as a prisoner of the Saracens, and Gregory again came to his aid by contributing to his ransom four thousand marks from the same redemption fund. His death occurred the same year at Otranto, on his return from Palestine, thus closing a life of strange vicissitudes and almost uninterrupted misfortune.*

The house of Toulouse was thus reduced from the position of the most powerful feudatory, with possessions greater than those of the crown, to a condition in which it was to be no longer dreaded, though Gregory IX. and Frederic II., in 1234, at the reiterated request of Louis IX., restored to it the Marquisate of Provence, probably as a reward for increased zeal in persecution. Raymond no longer, as Duke of Narbonne, held the first rank among the six lay peers of France, but was relegated to the fourth place. The treaty resulted as its framers intended. In 1229 Jeanne of Toulouse and her destined husband Alphonse, brother of Louis, were children in their ninth year. Their marriage was deferred until 1237, and when Raymond, in 1249, closed his unquiet career, they succeeded to his territories. They both died without issue in 1271, when Philip III. took possession, not only of the county of Toulouse, as provided for in the settlement, but also of the other possessions which Jeanne had vainly attempted to dispose of by will, thus rendering the crown supreme throughout southern France, and preparing it for the rude shocks of the wars with Edward III. and Henry V. It is fairly questionable, indeed, whether, during those convulsions, the house of Toulouse might not have become independently royal, governing a well-defined territory of homogeneous population, had not the religious enthusiasm excited by heresy enabled the Capets, with

* Martene Ampliss. Collect. I. 1225.—Vaissette, III. 375, 412.—Teulet, Layettes, II. 155, No. 2000.—Raynald. ann. 1237, No. 31.—Rob. de Monte Chron. ann. 1238.—Potthast Regest. 10469, 10516-17, 10563, 10579, 10666, 10670, 10996.—Cf. Berger, Les Registres d'Innoc. IV. No. 2763-69.

For the sums raised in England in 1234 by selling releases of Crusaders' vows see Matt. Paris ann. 1234, p. 276.

the assistance of the papacy, to destroy it in the thirteenth century.

That a monarchy so distracted and weakened as that of France during the minority of Louis IX. could demand and exact terms so humiliating as those which Raymond was glad to accept, shows the helpless isolation to which the religious question had reduced him, despite the fidelity of his subjects and the repeated failure of the assaults upon him. Those assaults he had met with the courage of a gallant knight and the resources of a skilful leader, but his neglect to persecute heresy deprived him of sympathy and of allies, and the anathema of the Church hung over him as an ever-present curse. To the public law of the period he was an outlaw, without even the right of self-defence against the first-comer, for his very self-defence was rated among his crimes; in the popular faith of the age he was an accursed thing, without hope, here or hereafter. The only way of readmission into human fellowship, the only hope of salvation, lay in reconciliation with the Church through the removal of the awful ban which had formed part of his inheritance. To obtain this he had repeatedly offered to sacrifice his honor and his subjects, and the offer had been contemptuously spurned. Now that the necessities of the royal court had rendered the regent and her counsellors unwilling to risk the drain and the dangers of prolonged war, he was too eager to escape from his cruel position to hesitate long in accepting the hard conditions which were exacted of him, although, as Bernard Gui says, the single provision which assured the reversion of Toulouse to the royal house would have been sufficiently hard if the king had captured Count Raymond on a stricken field.*

There was much that he could allege in justification, had he imagined that justification was needed. Born in 1197, he was yet a child when the storm had broken over his father's head. Ever since he could observe and reason he had seen his land the prey of the ruthless chivalry of the North, at the head of vagabond hordes, as eager for spoil as for the redemption of their sins. As soon as one host had melted away it had been succeeded by another, and for twenty years the wretched people who clung to him had known no peace. He and they had barely escaped as by

* Bern. Guidon. Vit. Gregor. PP. IX. (Muratori S. R. I. III. 572).

a miracle from destruction in the last crusade, and there was no prospect of better days in the future, so long as Rome's implacable enmity to heresy, acting upon the ambition of the restless Franks, could always call forth fresh swarms of marauders and dignify them with the Cross. Though he could not be a fervent disciple of a Church which had been to him so stern a stepmother, he was yet no Catharan; and while perfectly ready to tolerate the heresy of a large portion of his subjects, he might well ask himself whether their toleration was to be purchased at the cost of the whole population, who could never look for peace so long as heresy was endured among them. The choice lay between sacrificing one side or both sides; and what well might seem the lesser evil coincided with his own selfish instincts of self-preservation. He never hesitated as to the choice; and, after he had accomplished his object, he faithfully adhered to his promise of uprooting heresy, though more than once he interfered when the excessive rigor of the Inquisition threatened trouble. Perhaps the task at first was a distasteful one, but he had no alternative. He was but a man of his time; had he been more he might have played a martyr's part without better securing the happiness of his people.

The battle of toleration against persecution had been fought and lost; nor, with such a warning as the fate of the two Raymonds, was there risk that other potentates would disregard the public opinion of Christendom by ill-advised mercy to the heretic. Calling upon the state for its assured support, the Church made haste to reap the fruits of victory, and the Inquisition was soon at work among those who had so long bidden her defiance. That this was unanimously regarded by Europe as necessary and righteous, in spite of the vices and corruption of the ecclesiastical body, is so strange a development of the religion of Christ as to render the process of its evolution an indispensable subject for our consideration.

CHAPTER V.

PERSECUTION.

THE Church had not always been an organization which considered its highest duty to be the forcible suppression of dissidence at any cost. In the simplicity of apostolic times its members were held together by the bond of love, and the spirit with which discipline was enforced is expressed in St. Paul's precept to the Galatians (VI. 1, 2)—

"Brethren, if a man be overtaken in a fault, ye which are spiritual, restore such an one in the spirit of meekness; considering thyself, lest thou also be tempted.

"Bear ye one another's burdens, and so fulfil the law of Christ."

Christ had commanded his disciples to forgive their brethren seventy times seven, and as yet his teachings had been too recent to be buried beneath a mass of observances and doctrines in which the letter which kills overpowered the spirit which saves. The great primal principles of Christianity were enough for the fervor of the faithful. Dogmatic theology, with its endless complexities and metaphysical subtleties, as yet was not. Even its vocabulary had still to be created and its innumerable points of faith to be evolved out of the chance expressions of writers on other topics, and by the literal interpretation of the imagery of poetical diction.

It is an inexpressible relief to turn from the heated wranglings over questions scarce appreciable by the average human intellect to St. Paul's reproof to the Ephesians for giving heed to fables and endless genealogies, and questions which had in them little of godly edification, for "the end of the commandment is charity out of a pure heart, and of a good conscience, and of faith unfeigned" (I. Tim. I. 4, 5). Those who indulged in these vain janglings he denounces as men "desiring to be teachers of the law, understanding neither what they say nor whereof they affirm" (Ib.

7), and he commands his chosen disciple, "But foolish and unlearned questions avoid, knowing that they engender strife" (II. Tim. II. 23). The Ebionitic section of the Church agreed with the Pauline branch in this simplicity of teaching—"Pure religion and undefiled before God and the Father is this, To visit the fatherless and widows in their affliction, and to keep himself unspotted from the world" (James, I. 27).

Yet already was the seed scattered which was to bear so abounding a harvest of wrong and misery. St. Paul will listen to no deviation from the strictness of his teachings—"But though we, or an angel from heaven, preach any other gospel unto you than that which we have preached, let him be accursed" (Galat. I. 8); and he boasts of delivering unto Satan Hymenæus and Alexander "that they may learn not to blaspheme" (I. Tim. I. 20). How this spirit increased as time wore on may be seen in the apocalyptic threats with which the backsliders and heretics of the seven churches are assailed (Rev. II., III.). The process went on with accelerating rapidity. Theology could not form itself without starting a cloud of questions unsettled by the gospel: earnest disputants arose who, in the heat of controversy, magnified the points at issue till they assumed an importance rendering them the vital tests of Christianity, and men believed with the most fervid conviction that their adversaries were not Christians because they differed on some unimportant fragment of ritual or discipline, or on some infinitesimal dogma which only the mind trained in the dialectics of the schools could comprehend. When Quintilla taught that water was not necessary in baptism, Tertullian shrieks to her that there is nothing in common between them, not even the same God or the same Christ. The Donatist heresy with its deplorable results arose on the question of the eligibility of an individual bishop. When Eutyches, in his zeal against the doctrines of Nestorius, was led to confuse in some degree the double nature of Christ, thinking that he was only defending the dogmas of his friend St. Cyril, he suddenly found himself convicted of a heresy as damnable as Nestorianism; while his defence against the practised rhetoric of Eusebius of Dorylæum shows that he was not able to grasp the subtle distinction between *substantia* and *subsistentia*—a fatal failing which proved the ruin of thousands. Thus, during the first six centuries, as men explored the infinite problems of

existence here and hereafter, new questions constantly arose and were disputed with merciless vehemence. Those who held commanding positions in the Church and could enforce their opinions were necessarily orthodox; those who were weaker became heterodox, and the distinction between the faithful and the heretic became year by year more marked.*

Nor was it merely the *odium theologicum* that raised these passions; not only pride of opinion and zeal for the purity of faith. Wealth and power have charms even for bishop and priest, and in the Church, as it grew through the centuries, wealth and power depended upon the obedience of the flock. A hardy disputant who questioned the dogmatic accuracy of his ecclesiastical superior was a mutineer of the worst kind; and if he succeeded in attracting followers they became the nucleus of a rebellion which threatened revolution, and every motive, good or evil, prompted the suppression of such sedition at all hazards and by every available means. If the sectaries became sufficiently numerous to form a community of their own, cutting them off from the communion of the Church was of no avail; the keenest shafts of ecclesiastical censure rebounded harmless from their armor of conscientious belief. This naturally led to an animosity against them greater than that visited on the worst of criminals. No matter how trivial may have been the original cause of schism, nor how pure and fervent might be the faith of the schismatics, the fact that they had refused to bend to authority, and had thus sought to divide the seamless garment of Christ, became an offence in comparison with which all other sins dwindled into insignificance, neutralizing all the virtues and all the devotion which men could possess. Even Augustin could see nothing to soften his heart in the enthusiastic ardor with which the Donatists endured, and even courted, martyrdom. Had they carried Christ in their hearts their self-abnegation might have merited praise, but as it was they acted only under the promptings of Satan. like the swine who were driven into the sea by the unclean spirit. Martyrdom, even for Christ's sake, could not save heretic or schismatic from sharing eternal fire with Satan and his angels.†

* Tertull. de Baptism. c. 15.—Concil. Chalced. Act. I.

† Augustin. Epist. 185 ad Bonifac. c. iii. § 12.—Cf. Cypriani de Unit. Eccles. —C. 3 Extra. v. 7.

Yet the spirit of persecution was too repugnant to the spirit of Christ for its triumph to come without a struggle, which can be traced in the writings of the early fathers. Tertullian warmly defends the freedom of conscience; it is irreligious to enforce religion; no one wishes to be venerated unwillingly, so that God may be assumed to desire only the worship which comes from the heart. Still, when the combative energy of the man was aroused in disputation with the Gnostics, it was not difficult for him to find in Deuteronomy and Numbers ample warrant for the maxim that obstinacy is to be conquered, not persuaded. Cyprian says that it is for us to endeavor to become wheat, leaving the tares to God, and he qualifies as sacrilegious presumption the spirit which assumes the function of God in seeking to separate and destroy the tares; yet Cyprian had no hesitation in cutting off from the Church all who differed from him, and consigning them to perdition, which was the only form of persecution at that time within reach. It was, indeed, natural that a persecuted Church should plead for toleration, and the fact that, even in this early period, there should be these flashes of intolerance gives ample warning of what was to come with the power of enforcing dogma on the recalcitrant. Lactantius was the last of the fathers of the persecuted Church, and he could feelingly argue that belief is not to be enjoined by force, that slaughter and piety are in no sense connected, and he boasts that none are coerced into remaining in the Church, for he who lacks piety is useless to God.*

The triumph of intolerance was inevitable when Christianity became the religion of the State, yet the slowness of its progress shows the difficulty of overcoming the incongruity between persecution and the gospel. Hardly had orthodoxy been defined by the Council of Nicæa when Constantine brought the power of the State to bear to enforce uniformity. All heretic and schismatic priests were deprived of the privileges and immunities bestowed on the clergy and were subjected to the burdens of the State; their meeting-places were confiscated for the benefit of the Church, and their assemblies, whether public or private, were prohibited.

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* Tertull. Apologet. c. xxiv.; Lib. ad Scapulam ii.; adv. Gnosticos Scorpiaces ii., iii.—Cypriani Epist. 54 ad Maximum; de Unitate Ecclesiæ; Epist. 4 ad Pomponium c. 4, 5.—Firm. Lactant. Div. Instit. v. 20.

It is a curious commentary on theological perversity to learn the watchful energy with which these provisions were enforced to the suppression of heresy while yet the pagan temples and ceremonies remained undisturbed. Yet while the churchmen might feel it to be a duty thus to obstruct the development and dissemination of teachings which they regarded as destructive to religion, they still shrank from pushing intolerance to extremity and enforcing uniformity with blood, although the Emperor Julian declared that he had found no wild beasts so cruel to men as most of the Christians were to each other. Constantine, it is true, commanded the surrender of all copies of the writings of Arius under penalty of death, but it does not appear that any executions actually took place in consequence; and at last, tired of the endless strife, he ordered Athanasius to admit all Christians to the churches without distinction. No effort of the sovereign, however, could soothe the bitterness of doctrinal strife, which grew fiercer and fiercer. In 370 Valens is said to have put to death eighty orthodox ecclesiastics who had complained to him of the violence of the Arians, but this was not a judicial execution, but in pursuance of a secret order to the Prefect Modestus, who decoyed them on board of a vessel and caused it to be burned at sea.*

It was in 385 that the first instance was given of judicial capital punishment for heresy, and the horror which it excited shows that it was regarded everywhere as a hideous innovation. The Gnostic and Manichæan speculations of Priscillian were looked upon with the peculiar detestation which that group of heresies ever called forth; but when he was tried by the tyrant Maximus, at Trèves, with the use of torture, and was put to death with six of his disciples, while others were banished to a barbarous island beyond Britain, there was a most righteous burst of indignation. Of the two prosecuting bishops, Ithacius and Idacius, one was expelled from the episcopate and the other resigned. The saintly Martin of Tours, who had done all in his power to prevent the atrocity, refused to join in communion with them, or with any who communed with them. If he finally yielded, in order to save the lives of some men for whom he had come to Maximus to beg

* Lib. xvi. Cod. Theod. Tit. v. ll. 1, 2.—Sozomen H. E. i. 21; ii. 20, 22, 30; iii. 5. —Socrat. H. E. i. 9; iv. 16.—Ammian. Marcell. xxii. 5.

mercy, and also to prevent the tyrant from persecuting the Priscillianists of Spain (where, like the subsequent Cathari, they were detected by their pallor), yet, in spite of the consoling visit of an angel, he was overcome with grief at what he had done, and he found that he had lost for some time the power to expel devils and heal the sick.*

If the Church thus still shrank from shedding blood, it had by this time reached the point of using all other means without scruple to enforce conformity. Early in the fifth century we find Chrysostom teaching that heresy must be suppressed, heretics silenced and prevented from ensnaring others, and their conventicles broken up, but that the death-penalty is unlawful. About the same time St. Augustin entreats the Prefect of Africa not to put any Donatists to death because, if he does so, no ecclesiastic can make complaint of them, for they will prefer to suffer death themselves rather than be the cause of it to others. Yet Augustin approved of the imperial laws which banished and fined them and deprived them of their churches and of testamentary power, and he consoled them by telling them that God did not wish them to perish in antagonism to Catholic unity. To constrain any one from evil to good, he argued, was not oppression, but charity; and when the unlucky schismatics urged that no one ought to be coerced in his faith, he freely admitted it as a general principle, but added that sin and infidelity must be punished.†

Step by step the inevitable progress was made, and men easily found specious arguments to justify the indulgence of their passions. The fiery Jerome, when his wrath was excited by Vigilantius forbidding the adoration of relics, expressed his wonder that the bishop of the hardy heretic had not destroyed him in the flesh for the benefit of his soul, and argued that piety and zeal for God

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* Sulp. Sever. Hist. Sacræ II. 47–51; Ejusd. Dial. III. 11–13.—Prosp. Aquitan. Chron. ann. 385–6.—St. Martin could hardly have anticipated that a time would come when a pope would cite the murder of Priscillian as an example to be followed in the case of Luther; and, in spite of Maximus's excommunication by St. Ambrose, characterize him as one of the "veteres ac pii imperatores." (Epist. Adriani PP. VI. Nov. 15, 1522 *ap.* Lutheri Opp. T. II. fol. 538 *a.*)

† Chrysostomi in Matthæum Homil. XLVI. c. 2. Cf. Homil. de Anathemate c. 4.—Augustini Epist. 100 ad Donatum c. 2; Epist. 139 ad Marcellinum; Epist. 105 c. 13; Enchirid. c. 72; Contra Litt. Petiliani Lib. II. c. 83.

could not be cruelty; rigor, in fact, he argues in another place, is the most genuine mercy, since temporal punishment may avert eternal perdition. It was only sixty-two years after the slaughter of Priscillian and his followers had excited so much horror, that Leo. I., when the heresy seemed to be reviving, in 447, not only justified the act, but declared that if the followers of heresy so damnable were allowed to live there would be an end of human and divine law. The final step had been taken, and the Church was definitely pledged to the suppression of heresy at whatever cost. It is impossible not to attribute to ecclesiastical influence the successive edicts by which, from the time of Theodosius the Great, persistence in heresy was punished with death.*

A powerful impulse to this development is to be found in the responsibility which grew upon the Church from its connection with the State. When it could influence the monarch and procure from him edicts condemning heretics to exile, deportation, to the mines, and even to death, it felt that God had put into its hands powers to be exercised and not to be neglected. At the same time, with natural human inconsistency, it could argue that it was not responsible for the execution of the laws, and that its own hands were unstained with blood. Even Ithacius, in the case of Priscillian, had shrunk from the function of prosecutor and had put forward a layman in his place. Similar devices, as we shall see, were practised by the Inquisition, and in either case they were transparently false. In the vast body of imperial edicts inflicting upon heretics every variety of disability and punishment, the most ardent churchmen might find conviction that the State recognized the preservation of the purity of the faith as its first duty. Yet whenever the State or any of its officials lagged in the enforcement of these laws, the churchman was at hand to goad them on. Thus the African Church repeatedly asked the intervention of the secular power to suppress the Donatists; Leo the Great insisted with the Empress Pulcheria that the destruction of the Eutychians should be her highest care; and Pelagius I., in

* Hieron. Epist. 109 ad Ripar.; Comment. in Naum i. 9.—Leonis PP. I. Epist. 15 ad Turribium. — Lib. XVI. Cod. Theodos. Tit. v. ll. 9, 15, 34, 36, 51, 56, 64.—Constt. 11, 12 Cod. Lib. I. Tit. v.—Novell. Theod. II. Tit. vi.—Pauli Diac. Histor. Lib. XVI.—Basilicon Lib. I. Tit. I.-83.

urging Narses to suppress heresy by force, sought to quiet the scruples of the soldier by assuring him that to prevent or to punish evil was not persecution, but love. It became the general doctrine of the Church, as expressed by St. Isidor of Seville, that princes are bound not only to be orthodox themselves, but to preserve the purity of the faith by the fullest exercise of their power against heretics. How abundantly these assiduous teachings bore their bitter fruit is shown in the deplorable history of the Church during those centuries, consisting as it does of heresy after heresy relentlessly exterminated, until the Council of Constantinople, under the Patriarch Michael Oxista, introduced the penalty of burning alive as the punishment of the Bogomili. Nor were the heretics always behindhand, when they gained opportunity, in improving the lesson which had been taught them so effectually. The persecution of the Catholics by the Arian Vandals in Africa under Genseric was quite worthy of orthodoxy; and when Hunneric succeeded his father, and his proposition to the Emperor Zeno of mutual toleration was refused, his barbarous zeal was inflamed to pitiless wrath. Under King Euric the Wisigoth, also, there was a spasmodic persecution in Aquitaine. Yet, as a rule, the Arian Goths and Burgundians set an example of toleration worthy of imitation, and their conversion to Catholicism was attended with but little cruelty on either side, except a passing ebullition in Spain at the crisis under Leuvigild, about 585, followed by disturbances which were rather political than religious. Later Catholic monarchs, however, enacted laws punishing with exile and confiscation any deviations from orthodoxy, which are notable as the only examples of the kind under the Barbarians. The Catholic Merovingians in France seem never to have troubled their Arian subjects, who were numerous in Burgundy and Aquitaine. The conversion of these latter was gradual and apparently peaceful.*

* Cod. Eccles. African. c. 67, 93. — Augustin. Epist. 185 ad Bonifac. c. 7.— Ejusd. contra Cresconium Lib. III. c. 47.—Possidii Vit. Augustini c. 12.—Leonis PP. I. Epist. 60. — Pelagii PP. I. Epistt. 1, 2. — Isidori Hispalens. Sententt. Lib. III. c. li. 3–6.— Balsamon. in Photii Nomocanon Tit. ix. c. 25. — Victor. Viteus. de Persecutione Vandalica Lib. III.—Victor. Tunenens. Chron. ann. 479.—Sidon. Apollin. Epistt. VII. 6.—Isidor. Hist. de Regg. Gothor. c. 50.—Pelayo, Heterodoxos Españoles, I. 195 sqq. — Legg. Wisigoth. Lib. XII. Tit. ii. l. 2; Tit. iii. ll. 1, 2 (cf. Fuero Juzgo cod. loc.).

The Latin Church through all this had taken little part in actual persecution, for the Western mind lacked the perverse ingenuity of the East in originating and adopting heresy. With the downfall of the Western Empire it commenced the great task which absorbed its energies and by which it earned the thanks of all succeeding generations—the conversion and civilization of the Barbarians. Its new converts were not likely to indulge in abstruse speculations; they accepted the faith which was taught them, acquiesced for the most part in the established discipline, and while oft unruly and turbulent, gave little trouble on the score of orthodoxy. Under these influences the persecuting spirit died out. Claudius of Turin, whose iconoclastic zeal destroyed all the images in his diocese, escaped without punishment. Felix of Urgel was forgiven his Adoptianism, and was welcomed back into the Church in spite of his repeated tergiversations, and though not restored to his see, his residence for fifteen or twenty years at Lyons does not seem to have been an imprisonment, for he secretly maintained his doctrines, and an heretical declaration was found among his papers after his death. No force is alluded to when Archbishop Leidrad converted twenty thousand of the Catalan followers of Felix, whose principal disciple, Elipandus, Archbishop of Toledo, retained his primatial seat although there is no evidence that he ever recanted his errors. In the case of the monk Gottschalc, who disseminated his predestinarian heresy in extensive wanderings throughout Italy, Dalmatia, Austria, and Bavaria, apparently without opposition, Rabanus of Mainz finally summoned a council which condemned his doctrine in the presence of Louis le Germanique. Yet it did not venture to punish him, but sent him to his prelate, Hincmar of Reims, who, with the authority of Charles le Chauve, declared him an incorrigible heretic in the Council of Chiersy in 849. So little disposition was there to inflict penalties for heresy, though his theories struck at the root of the mediatory power of the Church, that the scourging ordered for him was carefully stated to be merely the discipline provided by the Council of Agde for the infraction of the Benedictine rule prohibiting monks from travelling without commendatory letters from their bishops; and if he was imprisoned, we are told that this was simply to prevent him from continuing to contaminate others. The Carlovingian

legislation was exceedingly moderate as to heretics, merely classing them with Pagans, Jews, and infamous persons, and subjecting them to certain disabilities.*

The stupor of the tenth century was too profound for heresy, which presupposes a certain amount of healthy mental activity. The Church, ruling unquestioned over the slumbering consciences of men, laid aside the rusted weapons of persecution and forgot their use. When, about 1018, Bishop Burchard compiled his collection of canon law he made no reference to heretical opinions or their punishment save a couple of regulations exhumed from the forgotten Council of Elvira in 305, respecting the treatment of apostates to idolatry. Even the introduction of the doctrine of transubstantiation was received submissively until, two centuries after Gottschalc, Berenger of Tours called it in question; but he had not in him the stuff of martyrdom, and yielded to moderate pressure. The warmer faith of the Cathari, who commenced to disturb the stagnation of orthodoxy in the eleventh century, called for energetic measures, but even with those abhorred sectaries the Church was wonderfully slow to resort to extremities. It hesitated before the unaccustomed task; it shrank from contradicting its teachings of charity and was driven forward by popular fanaticism. The persecution of Orleans in 1017 was the work of King Robert the Pious; the burning at Milan soon after was done by the people against the will of the archbishop. So unfamiliar was the Church with its duty that when, about 1045, some Manichæans were discovered at Chalons, Bishop Roger applied to Bishop Wazo of Liége for advice as to what he should do with them, and whether he should hand them over to the secular arm for punishment; to which the good Wazo replied, urging that their lives should not be for-

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* Mag. Biblioth. Pat. IX. II. 875.—Chron. Turonens. ann. 878.—Concil. Ratispon. ann. 792. — C. Francfortiens. ann. 794. — C. Romanum ann. 799. — C. Aquisgran. ann. 799.—Alcuini Epistt. 108, 117.—Agobardi Lib. adv. Felicem c. 5, 6.—Nic. Anton. Bib. Vet. Hispan. Lib. VI. c. ii. No. 42–3 (cf. Pelayo, Heterod. Españ. I. 297, 673 sqq.). —Hincmari Remens. de Prædestinat. II. c. 2. —Annal. Bertin. ann. 849.—Concil. Carisiacens. ann. 849 (cf. C. Agathens. ann. 506 c. 38).—Cap. Car. Mag. ann. 789 c. 44.—Capitul. Addl. III. c. 90.

For the slenderness of the disabilities inflicted on Jews under the Carlovingians see Reginald Lane Poole's "Illustrations of the History of Medieval Thought," London, 1884, p. 47.

feited to the secular sword, as God, their Creator and Redeemer, showed them patience and mercy; and Canon Anselm, Wazo's biographer, strongly condemns the executions under Henry III., at Goslar, in 1052, saying that if our Wazo had been there he would have acted as did St. Martin in the case of Priscillian. The same lenity was manifested by St. Anno of Cologne about 1060, when some of his flock refused, after repeated commands, to abandon the use of milk, eggs, and cheese during Lent, and the archbishop at length allowed them to have their own way, saying that those who were firm in the faith could not be much harmed by a difference in food. Even as late as 1144 the Church of Liége congratulated itself on having, by the mercy of God, saved the greater part of a number of confessed and convicted Cathari from the turbulent mob which strove to burn them. Those who were thus preserved were distributed among the religious houses while awaiting the response of Lucius II., to whom application was made for advice as to what should be done with them.*

It is not worth while to repeat in detail the cases related in a former chapter which show how uncertain was the position of the Church towards heresy at this period. There was no definite policy, no fixed rule, and heretics continued to be treated with rigor or with mercy according to the temper of the prelate concerned. Theodwin, Wazo's successor in the see of Liége, writes in 1050 to King Henry I. of France, urging him to punish the followers of Berenger of Tours without even giving them a hearing. This uncertainty is well reflected by St. Bernard in his remarks on the occurrence at Cologne in 1145, when the zealous populace seized the Cathari and burned them despite the resistance of the ecclesiastical authorities. He argues that heretics should be won over by reason rather than by coercion, and if they will not be converted they are to be avoided; he approves the zeal of the people, but not of their action, for faith is to be spread by persuasion and not by force; yet he assumes the duty of the secular power to avenge the wrong done to God by heresy, and, blind to the danger of man's assuming himself to be the minister of the wrath of God, he quotes St. Paul, "For he beareth not the sword

* Burchardi Decret. Lib. XIX. c. 188–4. — Gesta Episcopp. Leodiens. Lib. II. c. 60, 61.—Hist. Andagi nens. Monast. c. 18.—Martene Ampliss. Collect. I. 776–8.

in vain; for he is the minister of God, and revenger to execute wrath upon him that doeth evil" (Rom. XIII. 4). Alexander III. leaned decidedly to the side of mercy when, in 1162, he refused to pass judgment on the Cathari sent to him by the Archbishop of Reims, saying that it was better to pardon the guilty than to take the lives of the innocent. Even at the close of the century Peter Cantor dared to argue that the apostle ordered the heretic to be avoided, not slain, and he dwelt upon the inconsistency of the severity shown to the slightest deviation from faith, while the grossest sins and immoralities were allowed to go unpunished.*

This hesitation and uncertainty extended to the punishment appropriate to heresy. We have seen numerous cases of burning alive interspersed with sentences of imprisonment, and it was long before a definite formula was reached. Even when Alexander III., at the Council of Tours, in 1163, sought to check the alarming progress of Manichæism in Languedoc, he only commanded the secular princes to imprison the heretics and confiscate their property; though in the same year the Cathari detected in Cologne were sentenced to be burned by judges appointed for the purpose. In 1157 the punishment inflicted by the Council of Reims was branding in the face; and the same expedient was resorted to by that of Oxford in 1166. Even as late as 1199, the first measures of Innocent III. against the Albigenses only threaten exile and confiscation; there is no allusion to any duty on the part of the secular power beyond enforcing these penalties, and their enforcement is rewarded by the same indulgences as those to be gained by pilgrimage to Rome or to Compostella. As the struggle increased in bitterness, we have seen how stronger measures were adopted; yet even Simon de Montfort, in the code promulgated at Pamiers, December 1, 1212, while stimulating persecution to the utmost, and rendering it the duty of every man, does not formally adjudge the heretic to the stake, although in this very year eighty heretics were burned in Strassburg. This form of punishment had been enacted for the first time in positive law, as already stated, by Pedro II. of Aragon, in his edict of 1197, but the example was not speedily followed. Otho IV., in his constitution

*Dom Bouquet, XI. 497-8.—Bernardi Serm. in Cantica LXIV. c. 3; LXVI. c. 12.—Alex. PP. III. Epistt. 118, 122.—Pet. Cantor. Verb. abbrev. c. 78, 80.

of 1210, simply places heretics under the imperial ban, orders their property confiscated and their houses torn down. Frederic II., in his famous statute of November 22, 1220, which made the persecution of heresy a part of the public law of Europe, only threatened confiscation and outlawry, although this, it must be added, placed their lives at the mercy of the first comer. In his constitution of March, 1224, he went further and decreed death by fire or loss of the tongue, at the discretion of the judge; and the contemporary practice in Germany left the penalty to be similarly decided. It was not until 1231, in the Sicilian Constitutions, that Frederic rendered the punishment by cremation absolute. This was in force merely in his Neapolitan dominions, and the edict of Ravenna, in March, 1232, while inflicting the death penalty does not prescribe the method; but that of Cremona, in May, 1238, embodied the Sicilian law and thus rendered the fagot and stake the recognized punishment for heresy throughout the empire, as we find it subsequently embodied in both the Sachsenspiegel and the Schwabenspiegel, or municipal laws of northern and southern Germany. In Venice, after 1249, the ducal oath of office contained a pledge to burn all heretics. In 1255 Alonso the Wise of Castile decreed the stake for all Christians who apostatized to Islam or to Judaism. In France the legislation adopted by both Louis IX. and Raymond of Toulouse, for carrying out the provisions of the settlement of 1229, is discreetly silent with regard to the penalty of heresy, though under it the use of the stake was universal, and it is not until Louis issued his *Établissements*, in 1270, that we find the heretic formally condemned to be burned alive, thus rendering it part of the recognized law of the land, although the terms in which Beaumanoir alludes to it show that it had long been a settled custom. England, which was free from heresy, was even later in adopting it, and it was not until the rise of the Lollards caused fear in both Church and State that the writ "*de hæretico comburendo*" was created by statute in 1401.*

* Concil. Turonens. ann. 1163 c. 4.—Trithem. Chron. Hirsaug. ann. 1163.—Concil. Remens. ann. 1157 c. 1.—Guillel. de Newburg Hist. Angl. ii. 15.—Innoc. III. Regest. i. 94, 165.—Contre le Franc-Alleu sans Tiltre, Paris, 1629, pp. 215 sqq.—H. Mutii Chron. Lib. xix. ann. 1212.—Böhmer, Regesta Imperii V. 110.—Muratori Antiq. Ital. Diss. lx. (T. XII. p. 447).—Hist. Diplom. Frid. II. T. II. pp. 6-8, 422-3; IV. 301; V. 201.—Constitt. Sicular. Lib. i. Tit. 1.—Treuga Hen-

The practice of burning the heretic alive was thus not the creature of positive law, but arose generally and spontaneously, and its adoption by the legislator was only the recognition of a popular custom. We have seen numerous instances of this in a former chapter, and even as late as 1219, at Troyes, an insane enthusiast who maintained that he was the Holy Ghost was seized by the people, placed in a wicker crate surrounded by combustibles, and promptly reduced to ashes. The origin of this punishment is not easily traced, unless it is to the pagan legislation of Diocletian, who decreed this penalty for Manichæism. The torturing deaths to which the martyrs were exposed in times of persecution seem to suggest, and in some sort to justify, a similar infliction on heretics; sorcerers were sometimes burned under the imperial jurisprudence, and Gregory the Great mentions a case in which one was thus put to death by the Christian zeal of the people. As heresy was regarded as the greatest of crimes, the desire which was felt alike by laity and clergy to render its punishment as severe and as impressive as possible found in the stake its appropriate instrument. With the system of exegesis then in vogue, it was not difficult to discover an emphatic command to this effect in John, xv. 6. "If a man abide not in me, he is cast forth as a branch and is withered; and men gather them and cast them into the fire and they are burned." The literal interpretation of Scriptural metaphor has

rici (Böhlau, Nove Constit. Dom. Alberti, Weimar, 1858, p. 78, cf. Böhmer Regest. V. 700).—Sachsenspiegel, II. xiii.—Schwabenspiegel, cap. 116 No. 29; cap. 351 No. 3 (Ed. Senckenb.).—Archivio di Venezia, Codice ex Brera No. 277.—El Fuero real de España, Lib. IV. Tit. I. ley 1.—Isambert, Anc. Loix Françaises I. 230–33, 257.—Harduin. Concil. VII. 203–8.—Établissements, Lib. I. ch. 85.—Livres de Jostice et de Plet, Liv. I. Tit. iii. § 7.—Beaumanoir, Cout. du Beauvoisis, XI. 2, XXX. 11.—2 Henry IV. c. 15 (cf. Pike, History of Crime in England I. 343–4, 489).

It is true that both Bracton (De Legibus Angliæ Lib. III. Tract ii. cap. 9 § 2) and Horne (Myrror of Justice, cap. I. § 4, cap. II. § 22, cap. IV. § 14) describe the punishment of burning for apostasy, heresy, and sorcery, and the former alludes to a case in which a clerk who embraced Judaism was burned by a council of Oxford, but the penalty substantially had no place in the common law, save under the systematizing efforts of legal writers, enamoured of the Roman jurisprudence, and seeking to complete their work by the comparison of treason against God with that against the king. The silence of Britton (chap. VIII.) and of the Fleta (Lib. I. cap. 21) shows that the question had no practical importance.

been too frequent a source of error for us to wonder at this application of the text. An authoritative commentary on the decree of Lucius III. in 1184, ordering heretics to be delivered to the secular arm for due punishment, quotes the text of John and the imperial jurisprudence, and thence triumphantly concludes that death by fire is the penalty due to heretics, not only by divine but also by human law and by universal custom. Nor was the heretic mercifully strangled in advance; the authorities of the Inquisition assure us that he must be burned alive before the people, nay, even a whole city may be burned if heretics dwell there.*

Whatever scruples the Church had, during the eleventh and twelfth centuries, as to its duty towards heresy, it had none as to that of the secular power, though it kept its own hands free from blood. A decent usage from early times forbade any ecclesiastic from being concerned in judgments involving death or mutilation, and even from being present in the torture-chamber where criminals were placed on the rack. This sensitiveness continued, and even was exaggerated in the time of the bloodiest persecution. While thousands were being slaughtered in Languedoc the Council of Lateran, in 1215, revived the ancient canons prohibiting clerks from uttering a judgment of blood or being present at an execution. In 1255 the Council of Bordeaux added to this a prohibition of dictating or writing letters connected with such judgments; and that of Buda, in 1279, in repeating this canon, appended to it a clause forbidding clerks to practise any surgery requiring burning or cutting. The pollution of blood was so seriously felt that a church or cemetery in which blood chanced to be shed could not be used until it had been reconciled, and this was carried so far that priests were forbidden to allow judges to administer justice in churches, because cases involving corporal punishment might be tried before them. Had this shrinking from participation in the infliction of human suffering

* Cæsar. Heisterbac. Dial. Miracular. Dist. v. c. 33.—Mosaic. et Roman. Legg. Collat. Tit. xv. § 3 (Hugo, 1465). — Const. 3 Cod. IX. 18. — Cassiodor. Variar. IV., XXII., XXIII. — Gregor. PP. I. Dial. I. 4. — Gloss. Hostiensis in Cap. *ad abolendam*, No. 11, 13 (Eymerici Direct. Inquisit. pp. 149-150); cf. Gloss. Joan. Andreæ (Ibid. p. 170-1).—Repertorium Inquisitorum s. v. *Comburi* (Ed. Valent. 1494; Ed. Venet. 1588, pp. 127-8).

been genuine, it would have been worthy of all respect; but it was merely a device to avoid responsibility for its own acts. In prosecutions for heresy the ecclesiastical tribunal passed no judgments of blood. It merely found the defendant to be a heretic and "relaxed" him, or relinquished him to the secular authorities with the hypocritical adjuration to be merciful to him, to spare his life and not to spill his blood. What was the real import of this plea for mercy is easily seen from the theory of the Church as to the duty of the temporal power, when inquisitors enforced as a legal rule that the mere belief that persecution for conscience' sake was sinful was in itself a heresy, to be visited with the full penalties of that unpardonable crime.*

The early teachings of Leo and Pelagius were revived as soon as heresy became alarming. Early in the twelfth century Honorius of Autun proclaimed that the rebels against God who were obdurate to the voice of the Church must be coerced with the material sword. In the compilations of canon law by Ivo and Gratian the allusions to the treatment of heretics by the Church are singularly few, but there are abundant citations to show the duty of the sovereign to extirpate heresy and to obey the mandates of the Church to that end. Frederic Barbarossa gave the imperial sanction to the theory that the sword had been intrusted to him for the purpose of smiting the enemies of Christ, when he alleged this in 1159 as a reason for persecuting Alexander III. and supporting his antipope, Victor IV. The second Lateran Council, in 1139, orders all potentates to coerce heretics into obedience; the third, in 1179, sanctimoniously says that the Church does not seek blood, but it is helped by the secular laws, for men will seek the salutary remedy to escape bodily punishment. We have seen how inefficacious all this proved; and in despair of voluntary assistance from the temporal princes the Church took a further step by which it assumed for itself the responsibility for the material as well as the spiritual punishment of heretics. The decree of Lucius III. at the so-called Council of Verona, in 1184, commanded that all poten-

* Concil. Autissiodor. ann. 578 c. 33. — C. Matiscon. II. ann. 585 c. 19. — C. 30 Decreti P. II. Caus. xxiii. Quæst. 8. — C. Lateran. IV. ann. 1215 c. 18. — C. Burdegalens. ann. 1255 c. 10. — C. Budens. ann. 1268 c. 11. — C. Nugarolicus. ann. 1303 c. 13. — C. Baiocens. ann. 1300 c. 34. — Lib. Sentt. Inq. Tolosan. p. 208. — Bernard. Guidonis Practica (MSS. Bib. Nat., Coll. Doat, T. XXX. fol. 1. sqq.).

tates should take an oath before their bishops to enforce the ecclesiastical and secular laws against heresy fully and efficaciously. Any refusal or neglect was to be punished by excommunication, deprivation of rank, and incapacity to hold other station, while in the case of cities they were to be segregated and debarred from all commerce with other places.*

The Church thus undertook to coerce the sovereign to persecution. It would not listen to mercy, it would not hear of expediency. The monarch held his crown by the tenure of extirpating heresy, of seeing that the laws were sharp and were pitilessly enforced. Any hesitation was visited with excommunication, and if this proved inefficacious, his dominions were thrown open to the first hardy adventurer whom the Church would supply with an army for his overthrow. Whether this new feature in the public law of Europe could establish itself was the question at issue in the Albigensian crusades. Raymond's lands were forfeited simply because he would not punish heretics, and those which his son retained were treated as a fresh gift from the crown. The triumph of the new principle was complete, and it never was subsequently questioned.

It was applied from the highest to the lowest, and the Church made every dignitary feel that his station was an office in a universal theocracy wherein all interests were subordinate to the great duty of maintaining the purity of the faith. The hegemony of Europe was vested in the Holy Roman Empire, and its coronation was a strangely solemn religious ceremony in which the emperor was admitted to the lower orders of the priesthood, and was made to anathematize all heresy raising itself against the holy Catholic Church. In handing him the ring, the pope told him that it was a symbol that he was to destroy heresy; and in girding him with the sword, that with it he was to strike down the enemies of the Church. Frederic II. declared that he had received the imperial dignity for the maintenance and propagation of the faith. In the bull of Clement VI. recognizing Charles

* Honor. Augustod. Summ. Glor. de Apost. c. 5.—Ivon. Decret. IX. 70–79.—Gratiani Decret. P. II. Caus. xxiii. q. 5.—Radevic. de Gest. Frid. I. Lib. II. c. 56.—Concil. Lateran. II. ann. 1139 c. 23.—Concil. Lateran. III. ann. 1179 c. 27 (cf. C. Tolosan. ann. 1119 c. 3; C. Remens. ann. 1148 c. 18; C. Turonens. ann. 1163 c. 4).—Lucii. PP. III. Epist. 171.

IV. the first named of the imperial duties enumerated are the extension of the faith and the extirpation of heretics; and the neglect of the Emperor Wenceslas to suppress Wickliffitism was regarded as a satisfactory reason for his deposition. In fact, according to the high churchmen, the only reason of the transfer of the empire from the Greeks to the Germans was that the Church might have an efficient agent. The principles applied to Raymond of Toulouse were embodied in the canon law, and every prince and noble was made to understand that his lands would be exposed to the spoiler if, after due notice, he hesitated in trampling out heresy. Minor officials were subjected to the same discipline. According to the Council of Toulouse in 1229, any bailli not diligent in persecuting heresy forfeited his property and was ineligible to public employment, while by the Council of Narbonne in 1244, any one holding temporal jurisdiction who delayed in exterminating heretics was held guilty of fautorship of heresy, became an accomplice of heretics, and thus was subjected to the penalties of heresy; this was extended to all who should neglect a favorable opportunity of capturing a heretic, or of helping those seeking to capture him. From the emperor to the meanest peasant the duty of persecution was enforced with all the sanctions, spiritual and temporal, which the Church could command. Not only must the ruler enact rigorous laws to punish heretics, but he and his subjects must see them strenuously executed, for any slackness of persecution was, in the canon law, construed as fautorship of heresy, putting a man on his purgation.*

These principles were tacitly or explicitly received into the

*Böhmer, Regest. Imp. V. 86. — Innocent. PP. III. Regest. de Negot. Rom. Imp. 189.—Muratori Antiq. Ital. Dissert. III.—Hartzheim Concil. German. III.540. —Cod. Epist. Rodolphi I. Auct. II. pp. 375-7 (Lipsiæ 1806).—Theod. Vrie, Hist. Concil. Constant. Lib. III. Dist. 8; Lib. VII. Dist. 7.—Thom. Aquin. de Principum Regimine Lib. I. c. xiv.; Lib. III. c. x., xiii.-xviii.—Lib. v. Extra. Tit. vii. c. 13 §3.—Concil. Tolosan. ann. 1229 c. 5. — Concil. Narbonn. ann. 1244 c. 15, 16.— Zanchini de Hæret. c. v.—Beaumanoir, Contumes du Beauvoisis, XI. 27.—See also the sermon of the Bishop of Lodi at the condemnation of Huss, Von der Hardt, III.5.

The treatise "De principum regimine," though not wholly by St. Thomas Aquinas, was the authoritative exponent of the ecclesiastical theory as to the structure and duties of government. See Poole's "Illustrations of the History of Medieval Thought," p. 240.

public law of Europe. Frederic II. accepted them in his cruel edicts against heresy, whence they passed into the general compilations of civil and feudal law, and even into bodies of local jurisprudence. Thus we see in the statutes of Verona, in 1228, the Podesta swearing, on taking office, to expel all heretics from the city; and in the Schwabenspiegel, or code in force throughout southern Germany, it is laid down that a ruler who neglects to persecute heresy is to be stripped of all possessions, and if he does not burn those who are delivered to him as heretics by the ecclesiastical courts he is to be punished as a heretic himself. The Church took care that this legislation should not remain a dead letter. Frederic's decrees in all their atrocity were required to be read and taught in the great law-school of Bologna as a fundamental portion of jurisprudence, and were even embodied in the canon law itself. We shall see that they were repeatedly ordered by the popes to be inscribed irrevocably among the laws of all the cities and states which they could control, and the inquisitor was commanded to coerce all officials to their rigid enforcement, by excommunicating those who were negligent in the good work. Even excommunication, which rendered a magistrate incompetent to perform his official functions, did not relieve him from the duty of punishing heretics when called upon by bishop or inquisitor. In view of this earnestness to embody in the statute-books the sharpest laws for the extermination of heretics and to oblige the secular officials to execute those laws, under the alternative of being themselves condemned and punished as heretics, the adjuration for mercy with which the inquisitors handed over their victims to be burned was evidently, as we shall see hereafter, a mere technical formula to avoid the "irregularity" of being concerned in judgments of blood. In process of time the moral responsibility was freely admitted, as when in February, 1418, the Council of Constance decreed that all who should defend Hussitism, or regard Huss or Jerome of Prague as holy men, should be treated as relapsed heretics and be punished with fire—"*puniantur ad ignem.*" It is altogether a modern perversion of history to assume, as apologists do, that the request for mercy was sincere, and that the secular magistrate and not the Inquisition was responsible for the death of the heretic. We can imagine the smile of amused surprise with which Gregory IX. or Gregory XI. would have

listened to the dialectics with which the Comte Joseph de Maistre proves that it is an error to suppose, and much more to assert, that Catholic priests can in any manner be instrumental in compassing the death of a fellow-creature.*

Not only were all Christians thus made to feel that it was their highest duty to aid in the extermination of heretics, but they were taught that they must denounce them to the authorities regardless of all considerations, human or divine. No tie of kindred served as an excuse for concealing heresy. The son must denounce the father, and the husband was guilty if he did not deliver his wife to a frightful death. Every human bond was severed by the guilt of heresy; children were taught to desert their parents, and even the sacrament of matrimony could not unite an orthodox wife to a misbelieving husband. No pledge was to remain unbroken. It was an old rule that faith was not to be kept with heretics—as Innocent III. emphatically phrased it, "according to the canons, faith is not to be kept with him who keeps not faith with God." No oath of secrecy, therefore, was binding in a matter of heresy, for if one is faithful to a heretic he is unfaithful to

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* Post. Const. 4, Cod. Lib. I. Tit. v.— Post. Libb. Feudorum.—Lib. Juris Civilis Veronæ c. 156.—Schwabeuspiegel, Ed. Senckenb. cap. 351; Ed. Schilteri c. 308.—Potthast Regesta No. 6593.—Innoc. PP. IV. Bull. *Cum adversus*, 5 Jun. 1252; Bull. *Ad aures*, 2 Apr. 1253; 31 Oct. 1243; 7 Julii 1254.—Bull. *Cum fratres*, Maii 9 1252.—Urbani. IV. Bull. *Licet ex omnibus*, 1262 § 12.—Wadding Annal. Minor ann. 1258, No. 7; ann. 1260, No. 1; ann. 1261, No. 3.—c. 6 Sexto v. 2 c. 1, 2 in Septimo v. 3.—Von der Hardt, T. IV. p. 1519.—Campana, Vita di San Piero Martire, p. 124.—De Maistre, Lettres à un Gentilhomme Russe sur l'Inquisition Espagnole, Ed. 1864, pp. 17–18, 28, 34.

A thirteenth-century writer argued the matter more directly than De Maistre —"Papa noster non occidit, nec præcipit aliquem occidi, sed lex occidit quos papa permittit occidi, et ipsi se occiduut qui ea faciunt unde debeant occidi." —Gregor. Fanens. Disput. Cathol. et Patar. (Martene Thesaur. V. 1741).

More historically true is the assertion of an enthusiastic Dominican in 1782, who, after quoting Deut. XIII. 6–10, declares that its command to slay without mercy all who entice the faithful from the true religion is almost literally the law of the holy Inquisition; and who proceeds to prove from Scripture that fire is the peculiar delight of God, and the proper means of purifying the wheat from the tares.—Lob u. Ehrenrede auf die heilige Inquisition, Wien, 1782, pp. 19–21.

The hypocritical plea for mercy was commenced in good faith by Innocent III. in the case of clerks guilty of forgery who were degraded and delivered to the secular courts.—c. 27 Extra v. 40.

God. Apostasy from the faith is the greatest of all sins, says Bishop Lucas of Tuy; therefore if any one has bound himself by oath to keep the secret of such inexplicable wickedness, he must reveal the heresy and perform penance for the perjury, with the comfortable assurance that, as charity covereth a multitude of sins, he will be gently dealt with in consideration of his zeal.*

Thus the hesitation as to the treatment of heretics which marked the eleventh and twelfth centuries disappeared in the thirteenth, when the Church was involved in mortal struggle with the sectaries. There was no pretence of moderation, and, save in the technical adjuration for mercy, no attempt to evade the responsibility. St. Raymond of Pennaforte, the compiler of the decretals of Gregory IX., who was the highest authority in his generation, lays it down as a principle of ecclesiastical law that the heretic is to be coerced by excommunication and confiscation, and if they fail, by the extreme exercise of the secular power. The man who was doubtful in faith was to be held a heretic, and so also was the schismatic who, while believing all the articles of religion, refused the obedience due to the Roman Church. All alike were to be forced into the Roman fold, and the fate of Korah, Dathan, and Abiram was invoked for the destruction of the obstinate.†

St. Thomas Aquinas, whose overshadowing authority superseded all his predecessors, and who brought canon and dogma into a permanent system still in force, lays down the rules with merciless precision. Heretics, he tells us, are not to be tolerated. The tenderness of the Church allows them to have two warnings, after which, if pertinacious, they are to be abandoned to the secular power, to be removed from the world by death. This, he argues, shows the abounding charity of the Church, for it is much more

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* Urbani PP. II. Epist. 256.—Zanchini de Hæret. c. xviii.—Innoc. PP. III. Regest. xi. 26.—Lucæ Tudens. de altera Vita ii. 9.

† S. Raymundi Summæ Lib. i. Tit. v. §§ 2, 4, 8; Tit. vi. § 1.—This continued to be the doctrine of the Church. Zanghino Ugolini includes in his enumeration of heresies neglect to observe the papal decretals, being an apparent contempt for the power of the keys (Tract. de Hæret. c. ii.). This authoritative work was printed in Rome, 1568, at the expense of Pius V., with a commentary by Cardinal Campeggi, and was reprinted with additions by Simancas in 1579. My references are made to a transcript from a fifteenth-century MS. of the original in the Bibliothèque Nationale, fonds latin, 12532.

wicked to corrupt the faith on which depends the life of the soul than to debase the coinage which provides merely for temporal life; wherefore, if coiners and other malefactors are justly doomed at once to death, much more may heretics be justly slain as soon as they are convicted. Yet in its mercy the Church will always receive the heretic back into its bosom, no matter how often he may have relapsed, and will kindly give him penance whereby he may win eternal life; but charity to one must not be allowed to work evil to others. Therefore for once the heretic who repents and recants will be received and his life be spared; but if he relapses, though he may be received to penance for his soul's salvation, he will not be released from the death-penalty. This is the definite expression of the policy of the Church, which, as we shall see, became its unalterable rule of practice.*

Nor was the Church content to exercise its power over the living only; the dead must feel its chastening hand. It seemed intolerable that one who had successfully concealed his iniquity and had died in communion should be left to lie in consecrated ground and should be remembered in the prayers of the faithful. Not only had he escaped the penalty due to his sins, but his property, which was forfeit to Church and State, had unlawfully descended to his heirs, and must be recovered from them. Ample reason therefore existed for the trial of those who had passed to the judgment-seat of God. It had been a debatable question in the earlier Church whether excommunication, with all its tremendous penalties, here and hereafter, could be directed against departed souls. As early as the time of Cyprian the custom of excommunicating the dead had come into fashion; and about 382 St. John Chrysostom had denounced the frequency of such sentences as an interference attempted with the judgment of God. Leo I., in 432, took the same position, and it was confirmed by Gelasius I. and a council of Rome towards the end of the century. At the fifth general council, however, held in Constantinople in 553, the question came up as to the power of the Church to anathematize Theodoret of Cyrus, Ibas of Edessa, and Theodore of Mopsuestia, who had been dead for a hundred years. Many of the fathers of the council doubted it, when Eutychius, a man well versed in Scripture, pointed out that the

* S. Thom. Aquinat. Summæ Sec. Sec. Q. xi. art. 3, 4.

pious King Josiah had not only put to death the priests of pagandom, but had dug up the remains of those who were deceased. The argument was irrefragable, and the anathema was pronounced in spite of the protests of Pope Vigilius, who stubbornly refused to be convinced. The ingenuity of Entychius, till then an obscure man, was rewarded with the patriarchate of Constantinople, and Vigilius was compelled, by means not the most gentle, to subscribe to the anathema. In 618 the Council of Seville denied the power of condemning the dead; but in 680 the sixth general council, held at Constantinople, exercised the largest liberty in anthematizing all whom it regarded as heretical, both living and dead. In 897 Stephen VII. accordingly held himself authorized to dig up the body of his predecessor, Pope Formosus, then seven months in the tomb, drag it by the feet and seat it in the synod which he had assembled in judgment, and, after condemning it, to cut off two fingers of the right hand and throw it into the Tiber, whence it chanced to be rescued and buried. The next year, however, a new pope, John IX., annulled these proceedings and caused a synod to declare that no one should be condemned after death, for the accused must have the opportunity of defence. This did not prevent Sergius III., in 905, from again exhuming the body, when it was clothed in pontifical robes, seated on a throne, and once more solemnly condemned, beheaded, three more fingers cut off, and thrown in the Tiber. Yet the iniquity of these proceedings was proved when the restless remains were dragged from the river by some fishermen, and, on being carried to the church of St. Peter, the images of saints there bowed before them and saluted them reverently. About the year 1100, St. Ivo of Chartres, the foremost canonist of his day, pronounced unhesitatingly that the power of the Church to bind and to loose was confined to things on earth; that the dead had passed beyond human judgment, they could not be condemned, and burial must not be refused to those who had not been tried while living. Yet as heresy multiplied and its obstinacy seemed to justify the passionate hatred which it excited, the churchman might well feel himself unable to endure the thought that the bones of heretics polluted the sacred precincts of church and cemetery, and that unconsciously he was including them in his prayers for the dead. It was easy to find a method of reaching them. The Council of Verona in 1184, and subsequent popes and

councils, repeatedly and formally excommunicated all heretics. It was an old rule of the Church that all excommunicates who did not within a year apply for absolution were condemned. All heretics who died without confession or recantation were thus self-condemned, and were ineligible to sepulture in consecrated ground. Though they could not be excommunicated, being already under *ipso facto* excommunication, they could be anathematized. If mistakenly they had received Christian burial, as soon as the fact was discovered they were to be dug up and burned; the inquisition which established their guilt was merely an examination into the facts, not a condemnation, and the penalties followed of themselves. That it required some effort to establish the rule is shown by an epistle of Innocent III., in 1207, to the abbot and monks of St. Hippolytus of Faenza, who had refused, at the order of a legate, to exhume the body of Otto of damnable memory, a heretic buried in their cemetery, or to observe the interdict pronounced against them in consequence, and Innocent is obliged to threaten the most energetic measures to compel them to obedience. With time, however, the principle became firmly established; it was recognized as a grievous offence knowingly to bury the body of a heretic or a fautor of heretics—an offence only to be pardoned on condition of the offender exhuming the remains with his own hands, while the grave was accursed forever. We shall see that the business of investigating the record of the dead became no small or unimportant part of the duties of the Inquisition.*

The influence which these teachings and practices had in guiding the actions and policy of the age is well exemplified in the career of Frederic II. Half Italian in blood, and wholly Italian

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* Cypriani Epist. I.—Chrysost. Hom. de Anathemate.—Leon PP. I. Epist. 108 c. 2.—Gelasii PP. I. Epistt. 4, 11.—Concil. Roman. II. ann. 494.—Evagrii H. E. Lib. IV. c. 38.—Vigilii Constit. de Tribus Capitulis.—Facundi Epist. in Defens. Trium Capitt.—Concil. Constantinop. II. ann. 553 Collat. VII.—Concil. Hispalens. II. ann. 618 c. 5.—Concil. Constantinop. III. ann. 680 Tom. XII.—Jaffé Regesta, 303.—Synod. Roman. ann. 898 c. 1.—Chron. Turonens. (Martene Ampliss. Collect. V. 978-80).—Ivon. Carnoteus. Epist. 96; Ejusd. Panorm. Lib. v. c. 115-123.—Lucii PP. III. Epist. 171.—Lib. v. Extra Tit. vii. c. 13.—Gratian. Decret. II. Caus. XI. Q. iii. c. 36, 37, 38.—F. Pegnæ Comment. in Eymerici Direct. Inquis. p. 95.—Innocent. PP. III. Regest. IX. 213.—Lib. III. Extra Tit. XXVIII. c. 12.—Lib. V. in Sexto Tit. i. c. 2.—Eymeric. Direct. Inquis. p. 104.

in training, he was a philosophical free-thinker. The accusations of Gregory IX., that he was secretly a disciple of Mahomet, and the tradition that he was privately in the habit of calling Moses, Christ, and Mahomet the three impostors, contradict each other, but show what ground he gave for such imputations. Yet this man, whom Gregory declared to take the sacrament only to show his contempt for excommunication, was too sagacious not to recognize that he could only reign over a Christian people by at least pretending zeal in the work of exterminating heresy. He obtained his coronation in St. Peter's, November 22, 1220, by issuing the edict which is memorable in the history of persecution; and, as part of the solemnities, Honorius paused in the ineffable mysteries of the mass to fulminate an anathema in the name of Almighty God against all heresies and heretics, including those rulers whose laws interfered with their extermination. To the function thus assumed Frederic was ever true, perhaps even more so because, in his recognition of the necessity of ecclesiastical reform, he indulged in dreams of a caliphate in which he would wield both the temporal and spiritual swords. However this may be, his lifelong quarrel with the papacy only rendered him the more merciless in his extirpation of heresy; and just when Gregory IX. was engrossed in laying the foundation of the Inquisition we find Frederic audaciously urging him to greater zeal in defence of the faith, and suggesting his own example as one which the pope would do well to follow.*

The cruel ferocity of barbarous zeal which, through so many centuries, wrought misery on mankind in the name of Christ, has been explained in many ways. Fanatics on the other side have denounced it as mere bloodthirstiness or selfish lust of power. Philosophers have traced it to the doctrine of exclusive salvation, through which it seemed the duty of those in authority to coerce the recalcitrant for their own benefit, and prevent them from leading other souls to perdition. Another school has taught that it

* Hist. Diplom. Frid. II. Introd. pp. cdlxxxviii., cdxcvi.; II. 6-8, 422-3; IV. 409-11, 435-6; V. 459-60.—Fazelli de Reb. Siculis Decad. II. Lib. viii.—Alberic. T. Font. Chron. ann. 1228.—Raynald. Annal. ann. 1220, No. 23.—Richard de S. Germano Chron. ann. 1233.

arose from the survival of the atavistic notion of tribal solidarity, expanded into that of Christendom, making all share the guilt of sin offensive to God which they neglected to exterminate. Human impulses and motives, however, are too complex to be analyzed by a single solvent, even in the case of an individual, while here we have to deal with the whole Church, in its broadest acceptation, embracing the laity as well as the clergy. There is no doubt that the people were as eager as their pastors to send the heretic to the stake. There is no doubt that men of the kindliest tempers, the profoundest intelligence, the noblest aspirations, the purest zeal for righteousness, professing a religion founded on love and charity, were ruthless when heresy was concerned, and were ready to trample it out at the cost of any suffering. Dominic and Francis, Bonaventura and Thomas Aquinas, Innocent III. and St. Louis, were types, in their several ways, of which humanity, in any age, might well feel proud, and yet they were as unsparing of the heretic as Ezzelin da Romano was of his enemies. With such men it was not hope of gain or lust of blood or pride of opinion or wanton exercise of power, but sense of duty, and they but represented what was universal public opinion from the thirteenth to the seventeenth century.

To comprehend it, we must picture to ourselves a stage of civilization in many respects wholly unlike our own. Passions were fiercer, convictions stronger, virtues and vices more exaggerated, than in our colder and more self-contained time. The age, moreover, was a cruel one. The military spirit was everywhere dominant; men were accustomed to rely upon force rather than on persuasion, and habitually looked on human suffering with indifference. The industrial spirit, which has so softened modern manners and modes of thought, was as yet hardly known.* We have only to look upon the atrocities of the criminal law of the Middle Ages to see how pitiless men were in their dealings with each other. The wheel, the caldron of boiling oil, burning alive, burying alive,

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*Mr. John Fiske has developed the contrast between the military and industrial spirit and the theory of corporate responsibility with his accustomed admirable clearness in his "Excursions of an Evolutionist," Essays VIII. and IX.

The theory of solidarity is clearly expressed in Zanghino's remark "Quia in omnes fert injuriam quod in divinam religionem committatur" (Tract. de Hæres. c. xi.).

flaying alive, tearing apart with wild horses, were the ordinary expedients by which the criminal jurist sought to deter crime by frightful examples which would make a profound impression on a not over-sensitive population. An Anglo-Saxon law punishes a female slave convicted of theft by making eighty other female slaves each bring three pieces of wood and burn her to death, while each contributes a fine besides; and in mediæval England burning was the customary penalty for attempts on the life of the feudal lord. In the Customs of Arques, granted by the Abbey of St. Bertin in 1231, there is a provision that, if a thief have a concubine who is his accomplice, she is to be buried alive; though, if pregnant, a respite is given till after childbirth. Frederic II., the most enlightened prince of his time, burned captive rebels to death in his presence, and is even said to have encased them in lead in order to roast them slowly. In 1261 St. Louis humanely abolished a custom of Touraine by which the theft of a loaf of bread or a pot of wine by a servant from his master was punished by the loss of a limb. In Frisia arson committed at night was visited with burning alive; and, by the old German law, the penalty of both murder and arson was breaking on the wheel. In France women were customarily burned or buried alive for simple felonies, and Jews were hung by the feet between two savage dogs, while men were boiled to death for coining. In Milan Italian ingenuity exhausted itself in devising deaths of lingering torture for criminals of all descriptions. The *Carolina*, or criminal code of Charles V., issued in 1530, is a hideous catalogue of blinding, mutilation, tearing with hot pincers, burning alive, and breaking on the wheel. In England poisoners were boiled to death even as lately as 1542, as in the cases of Rouse and Margaret Davie; the barbarous penalty for high treason—of hanging, drawing, and quartering—is well known, while that for petty treason was enforced no longer ago than 1726, on Catharine Hayes, who was burned at Tyburn for murdering her husband. By the laws of Christian V. of Denmark, in 1683, blasphemers were beheaded after having the tongue cut out. As recently as 1706, in Hanover, a pastor named Zacharie Georg Flagge was burned alive for coining. Modern tenderness for the criminal is evidently a matter of very recent date. So careless were legislators of human suffering in general that, in England, to cut out a man's tongue, or to pluck out his eyes with

malice prepense, was not made a felony until the fifteenth century, in a criminal law so severe that, even in the reign of Elizabeth, the robbing of a hawk's nest was similarly a felony; and as recently as 1833 a child of nine was sentenced to be hanged for breaking a patched pane of glass and stealing twopence worth of paint.*

The nations thus habituated to the most savage cruelty, moreover, regarded the propagation of heresy with peculiar detestation, as not merely a sin, but as the worst of crimes. Heresy itself, says Bishop Lucas of Tuy, justifies, by comparison, the infidelity of the Jews; its pollution cleanses the filthy madness of Mahomet; its vileness renders pure even Sodom and Gomorrah. Whatever is worst in other sin becomes holy in comparison with the turpitude of heresy. Less rhetorical, but equally emphatic, is Thomas Aquinas, when his merciless logic demonstrates that the sin of heresy separates man from God more than all other sins, and therefore it is the worst of sins, and is to be punished more severely. Of all kinds of infidelity, that of heresy is the worst. So sensitive did the clerical mind become on the subject that Stephen Palecz of Prague declared, in a sermon before the Council of Constance, that if a belief was Catholic in a thousand points, and false in one, the whole was heretical. The heretic, therefore, who labored, as all earnest heretics necessarily did, to convert others to his way of

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* Ademari S. Cibardi Hist. Lib. III. c. 36.—Dooms of Æthelstan, III. vi. (Thorpe, I. 219).—Bracton. Lib. III. Tract. i. c. 6.—Legg. Villæ de Arkes § 26. (D'Achery III. 608).—Hist. Diplom. Frid. II. Introd. p. cxcvi.; IV. 444.—Godefrid. S. Pantal. Annal. ann. 1233.—Fazelli de Reb. Siculis Decad. II. Lib. viii. p. 442.—Isambert. Anc. Loix Franç. I. 295.—Legg. Opstalbom. §§ 3, 4.—Treuga Henrici c. 1224 (Böhlau, Nove Constitut. Dom. Alberti, Weimar, 1858, pp. 76–77).—Registre Criminel du Châtelet de Paris, *passim* (Paris, 1861).—Beaumanoir, Coutumes du Beauvoisis, c. 30, No. 12.—Antiqua Ducum Mediolan. Decreta, pp. 187–88 (Mediolani, 1654).—Legg. Capitul. Caroli V. c. 103–197 (Goldast. Constitt. Imp. III. 537–55).—London Athenæum, Mar. 15, 1873, p. 338.—R. Christian. V. Jur. Danic. art. 7.—Willeuburgii de Except. et Pœnis Cleric. p. 41 (Jenæ, 1740). —5 Henry IV. c. 5.—Description of Britaine, Bk. III. c. 6 (Holinshed's Chronicles Ed. 1577 I. 196).—London Athenæum, 1885 No. 3024, p. 466.

It has seemed to me, however, that a sensible increase in the severity of punishment is traceable after the thirteenth century, and I am inclined to attribute this to the influence exercised by the Inquisition over the criminal jurisprudence of Europe.

thinking, was inevitably regarded as a demon, striving to win souls to share his own damnation, and none of the orthodox doubted that he was the direct and efficient instrument of Satan in his warfare with God. The intensity of the abhorrence thus awakened can only be realized by those who recognize the vividness of mediæval eschatology, the living horror which all men felt as to the possibilities of the dread hereafter.*

That this view of heresy and of the duty of its suppression was not reached at once by the mediæval Church and peoples we have seen in the hesitation and vacillation which characterized the proceedings of the eleventh and twelfth centuries; and this shows that the idea of solidarity in the responsibility before God, while it undoubtedly had a share in exaggerating the persecuting spirit, cannot by any means wholly account for it. It stimulated the masses, who snatched the sectaries from the hands of protecting priests, but had less influence on the educated clergy. As heresies increased and grew more threatening, and milder means seemed only to aggravate the evil, the minds of earnest and enlightened men brooding over it, and contemplating the awful possibilities of the future, when the Church of God might be overthrown by the conventicles of Satan, grew inflamed, and fanaticism inevitably followed. When this point was reached, when people and pastor alike felt that the Church Militant must strike without pity if it would prevail against the legions of hell, no firm believer in the doctrine of exclusive salvation could doubt that the truest mercy lay in sweeping away the emissaries of Satan with fire and sword. God had wonderfully raised the Church to fight his battle. It had become supreme over temporal princes, and could command their implicit obedience. It had full power over the sword of the flesh, and with that power came responsibility. It was responsible not only in the present, but also for the souls of the faithful yet unborn through countless generations, and, if weakly untrue to its trust, it could not plead inability in extenuation. In view of the awful possibilities of neglected duty, what were the sufferings of a few thousand hardened wretches who, deaf to the solicitations of

* Lucæ Tudens. de altera Vita Lib. III. c. 15.—T. Aquinat. Summ. Sec. Sec. Q. x. Artt. 3, 6.—Von der Hardt, T. I. P. XVI. p. 820.—Nic. Eymerici Direct. Inquis. Præfat.

repentance, were hurried, but a few years before their time, to their master the Devil?

We must also bear in mind the character which Christianity had assumed in the gradual development of its theology, and its consequent influence on those who guided the policy of the Church. They knew that Christ bad said "I am not come to destroy the law but to fulfil" (Matt. v. 17). They also knew from Holy Writ that Jehovah was a God delighting in the extermination of his enemies. They read how Saul, the chosen King of Israel, had been divinely punished for sparing Agag of Amalek, and how the prophet Samuel had hewn him in pieces; how the wholesale slaughter of the unbelieving Canaanites had been ruthlessly commanded and enforced; how Elijah had been commended for slaying four hundred and fifty priests of Baal; and they could not conceive how mercy to those who rejected the true faith could be aught but disobedience to God. Moreover, Jehovah was a God who was only to be placated by the continual sacrifice of victims. The very doctrine of the Atonement assumed that the human race could only be rendered eligible to salvation by the most awful sacrifice that the human mind could conceive—that of one of the members of the Trinity. The Christian worshipped a God who had subjected himself to the most painful and humiliating of sacrifices, and the salvation of souls was dependent on the daily repetition of this sacrifice in the mass, throughout Christendom. To minds moulded in such a belief, it might well seem that the extremity of punishment inflicted on the enemies of the Church of God was nothing in itself, and that it was an acceptable offering to him who had commanded that neither age nor sex should be spared in the land of Canaan.

These tendencies had been fostered and exaggerated by the growth of asceticism. That mortal life was a thing to be despised and that heaven was to be purchased by shunning the pleasures of existence and extinguishing all human affections, was a lesson taught broadly throughout the hagiology of the Church. Maceration and mortification were the surest roads to Paradise, and sin was to be redeemed by self-inflicted penance. This theory worked in a double sense. On the one hand, the practices of the zealot—strict celibacy, fasting, solitude, are direct incentives to insanity, as is shown by the epidemics of diabolical possession and

suicide which were so frequent in the stricter monastic establishments;* and without assuming that such a man as St. Peter Martyr was mad, it is impossible to read the extremity of ascetic maceration which he habitually practised—fasts, vigils, scourgings, and every device which perverse ingenuity could suggest—without recognizing morbid mental conditions which could readily render him a monomaniac on any subject which greatly engrossed his feelings. On the other hand, the men who thus tamed their own strong passions and mastered the rebellious flesh by these means, were not likely to feel for the suffering of those who had abandoned themselves to Satan, and who might be saved by temporal fire from eternal flame. Or if, perchance, they had softer hearts and compassionated the agonies of their victims, they might well regard the repression of their own emotions at the spectacle as part of the penance which they were called upon to endure. In any case, life was but an infinitesimal point in eternity, and all human interests shrank into nothingness in comparison with the one overmastering duty of keeping the flock from straying and of preventing an infected sheep from communicating his poison to his fellows. Charity itself could not hesitate over whatever methods might be requisite to accomplish this.

That the men who conducted the Inquisition and who toiled sedulously in its arduous, repulsive, and often dangerous labor, were thoroughly convinced that they were furthering the kingdom of God, is shown by the habitual practice of encouraging them with the remission of sins, similar to that offered for a pilgrimage to the Holy Land. Besides the consciousness of duty performed, it was the only recognized reward of their joyless lives, and it was considered enough.† How, moreover, cruelty to the heretic could be conjoined with boundless love and good-will to men is well exemplified in the career of the Dominican, Frà Giovanni Schio

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* Galton, Inquiries into Human Faculty, pp. 66-68. — Cæsar. Heisterbac. Dial. Mirac. Dist. IV.

As early as the fourth century the tendency of exaggerated asceticism to affect the mind was noted, and St. Jerome had the common-sense to point out that such cases required a physician rather than a priest (Hieron. Epist. CXXV. c. 16).

† Martene Thesaur. V. 1817, 1820.—Urbani PP. IV. Bull. *Licet ex omnibus*, 20 Mart. 1262, § 13.—Clem. PP. IV. Bull. *Pro cunctis mentis*, 23 Feb. 1266 (Arch. de l'Inq. de Carc., Doat, XXXII. 32).

da Vicenza. Profoundly moved by the condition of northern Italy, filled with dissensions which raged, not only between city and city, and burgher and noble, but which divided families in the factions of Guelf and Ghibelline, he devoted himself to the mission of an Apostle of Peace. In 1233 his eloquence at Bologna induced the opposing parties to lay aside their arms, and led enemies to swear mutual forgiveness in a delirium of joyful reconciliation. So great was the enthusiasm which he excited that the magistrates submitted to him the statutes of the city and allowed him to revise them at discretion. The same success attended him at Padua, Treviso, Feltro, and Belluno. The lords of Camino, Romano, Conigliano, and San Bonifacio, and the republics of Brescia, Vicenza, Verona, and Mantua made him the arbiter of their differences and urged him to alter their political organization as he saw fit. On the plain of Paquara, near Verona, he called a great assembly of the Lombard peoples, and that innumerable multitude, swayed by his fervor as by a voice from heaven, proclaimed a general pacification. Yet this man, so worthy a disciple of the Great Teacher of divine love, when installed in power in Verona, proceeded to burn in the public square sixty men and women of the principal families of the town, whom he had condemned as heretics; and twenty years later he reappears as the leader of a Bolognese contingent in the crusade preached by Alexander IV. against Ezzelin de Romano.*

In fact the zealot, however loving and charitable he might otherwise be, was taught and believed that compassion for the sufferings of the heretic were not only a weakness but a sin. As well might he sympathize with Satan and his demons writhing in the endless torment of hell. If a just and omnipotent God wreaked divine vengeance on those of his creatures who offended him, it was not for man to question the righteousness of his ways, but humbly to imitate his example and rejoice when the opportunity to do so was vouchsafed to him. The stern moralists of the age held it to be a Christian duty to find pleasure in contemplating the anguish of the sinner. Gregory the Great, five centuries before, had argued that the bliss of the elect in heaven would not

* Tamburini, Storia Generale dell' Inquisizione, I. 362-5, 561.—Chron. Veronens. ann. 1233 (Muratori S. R. I. VIII. 626, 627).

be perfect unless they were able to look across the abyss and enjoy the agonies of their brethren in eternal fire. This idea was a popular one and was not allowed to grow obsolete. Peter Lombard, the great "Master of Sentences," whose "Sentences," produced about the middle of the twelfth century, was the leading authority in the schools, quotes St. Gregory with approbation, and enlarges upon the satisfaction which the just will feel in the ineffable misery of the damned. Even the mystic tenderness of Bonaventura does not prevent him from echoing the same terrible exultation. When such were the sentiments in which all thinking men were trained, and such were the views which they disseminated among the people, it is not to be supposed that any feelings of compassion for the sufferers would deter the most charitable from the rigid exercise of justice. The ruthless extermination of heresy was a work which could only be pleasing to the righteous, whether simply as spectators or whether they were called by conscience or by station to the higher duties of active persecution. If, notwithstanding this, any scruple remained, the schoolmen easily removed it by proving that persecution was a work of charity, for the benefit of the persecuted.*

It is true that all popes were not like Innocent III. nor all inquisitors like Frà Giovanni. Selfish and interested motives were at work, as they are in all human institutions, and the actions even of the best may doubtless have unconsciously been stimulated by pride of opinion and by ambition as well as by a sense of duty to God and man. The religious revolt threatened the temporal possessions of the Church and the privileges of its members, and the desire to preserve these had its share in the resistance which was organized against innovation. Selfish as this desire may have been, we must not forget that, in the thirteenth century, the power and wealth of the hierarchy, however much abused, had yet long been recognized by the public law of Europe. The rulers of the Church could only regard as a sacred duty the maintenance of

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* Gregor. PP. I. Homil. in Evangel. XL. 8.—Pet. Lomb. Sententt. Lib. IV. Dist. 50 §§ 6, 7. Peter Lombard even presses into service a passage from St. Jerome which had no such significance (Hieron. Comment. in Isaiam Lib. XVIII. c. lxvi. vers. 24).—St. Bonaventuræ Pharetræ IV. 50.—S. Thomæ Aquinat. contra Impugn. Relig. cap. XVI. §§ 2, 3.

rights which they had inherited, against audacious assailants whose doctrines threatened the overthrow of what they regarded as the basis of social order. Sympathize as we must with the Waldenses and the Cathari in their hideous martyrdom, we cannot but feel that the treatment which they endured was inevitable, and we should pity the blindness of the persecutor as well as the sufferings of the persecuted.

Man is seldom wholly consistent in the practical application of his principles, and the persecutors of the thirteenth century made one concession to humanity and common-sense which was fatal to the completeness of the theory on which they acted. To carry it out fully, they should have proselyted with the sword among all non-Christians whom fate threw in their power; but from this they abstained. Infidels who had never received the faith, such as Jews and Saracens, were not to be compelled to Christianity. Even their children were not to be baptized without parental consent, as this would be contrary to natural justice, as well as dangerous to the purity of the faith. It was necessary that the misbeliever should have been united with the Church by baptism in order to give her jurisdiction over him.*

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* S. Thomæ Aquinat. Summ. Sec. Sec. Q. x. art. 8, 12.—Zanchini de Hære. c. ii.

CHAPTER VI.

THE MENDICANT ORDERS.

In the struggle which the Church was making to regain its forfeited hold upon the veneration of Christendom its most efficient instrument was not force. It is true that the dignitaries at its head relied solely on persecution, and by skilful use of popular superstition and princely ambition they succeeded in crushing the open revolt which threatened its supremacy. Something more was required to render that success permanent by arousing anew the trust and confidence of the people, and that something could not be supplied by a worldly and ambitious prelacy. Far down in the ranks of the Church, however, were men with truer insight and nobler aspirations, who saw its fatal omissions and who sought in their humble spheres to do the work which lay immediately around them. They builded better than they knew, and to them rather than to the Innocents and the de Montforts did the hierarchy owe the restoration of the tottering edifice. The response which they met showed how deep was the popular longing for a church which should in some degree fitly reflect the precepts of its Founder.

It is not to be supposed that the corruption of the ecclesiastical body was allowed to pass unnoticed and unreproved by the pious among the orthodox, and that occasional efforts at reform were not made by those who would have shrunk with horror from open opposition or even secret dissidence. The free speaking of St. Bernard, Geroch of Reichersperg, and Peter Cantor show how deeply the offences of priest and prelate were felt and how sharply they were criticised. The self-imposed mission of Peter Waldo was an effort to evangelize the Church, which in its inception had no thought of antagonizing the existing order, and was forced into schism by the obstinacy of the disciples in recurring to Scripture, and the natural dread which conservatism feels of all enthusiasm

that may become dangerous. As the twelfth century drew to an end there appeared another apostle whose brief career for a space seemed to give assurance that both clergy and people might be aroused to a practical sense of the changes requisite to enable the Church to fulfil its bright promises to mankind.

Foulques de Neuilly was an obscure priest, with little education or training and with profound contempt for the dialectics of the schools, but whose conviction of the sins of Church and people led him to abandon the cure of souls for the more arduous duties of a missionary. Moved by his enthusiasm, Peter Cantor procured for him from Innocent III. a license to preach, but at first his success was disheartening. He had not discovered the secret of reaching the hearts of his hearers, but the experience gained by earnest work acquired it for him, and his legend explains it in the customary shape of a special revelation from God, accompanied with the gift of working miracles. He caused, it is said, the deaf to hear, the blind to see, and the crippled to walk, but he selected his subjects and ofttimes refused to work cures, telling the applicant that his time had not yet come, and that health would but give him fresh opportunity to sin. Though popularly known as "*le sainct homme*," he was no ascetic, and at a time when maceration was popularly deemed an indispensable accompaniment of holiness, it was remarked with wonder that he would eat thankfully whatever was set before him, and that he was not observant of vigils. Yet he was irascible, and was wont to give over to Satan those who refused to listen to him, when it was observed that they would shortly perish through the divine vengeance. Thousands of sinners flocked to hear him and were converted to repentance, though few of them persevered in the path of righteousness, and he was so successful in reclaiming women of evil life who became nuns that the Convent of St. Antoine in Paris was founded to receive them. Many Cathari, also, were won over by him to the faith, and it was through his exertions that Terric, the heresiarch of the Nivernois, was discovered in his cave at Corbigny and was burned. He was especially severe on the licentiousness of the clergy, and at Lisieux he so angered them with his invectives that they seized and threw him in a dungeon and loaded him with chains, when his miraculous powers stood him in good stead and he walked forth without difficulty. The same thing occurred at Caen, when the officials of

Richard of England imprisoned him, thinking to gratify their master, who was supposed to be offended by the preacher's plain speaking. Foulques warned him to marry off his three daughters lest worse should befall him; and when the king retorted that Foulques was a hypocrite who knew that he had no daughters, the monitor rejoined that the first daughter was pride, the second avarice, and the third lust. Richard, however, was too keen-witted to be overcome in a war of words; he assembled his court, and solemnly repeating what Foulques had said, added, "My pride I give to the Templars, my avarice to the Cistercians, and my lust to the prelates in general."

Foulques suffered somewhat in public estimation from the backsliding of Pierre de Roissi, whom he had taken as an associate, and who in preaching poverty amassed wealth and obtained a canonry at Chartres, where he rose to be chancellor. Yet he might have accomplished much had not Innocent III., who thought more of the recovery of the Holy Land than of the spiritual awakening of souls, sent him, in 1198, an urgent request to preach the crusade. Into this work Foulques threw himself with all his enthusiasm. It was owing to his eloquence that Baldwin of Flanders and other magnates undertook the crusade; he is said with his own hand to have imposed the cross upon two hundred thousand pilgrims, taking the poor by preference, as he deemed the rich unworthy of it, and the Latin Empire of Constantinople, which was the outcome of the crusade, was his work. Scandal said that of the immense sum which he raised he kept a portion, but this may be safely set to the account of malice; certain it is that never was money more joyfully received by the struggling Christians in Palestine than the large remittances from him which enabled them to rebuild the walls of Tyre and Ptolemais, recently overthrown by an earthquake. As the crusade was about to set out, which he proposed to accompany, he died at Neuilly, in May, 1202, leaving whatever he possessed to the pilgrims. Had his life been lengthened and had he not been diverted from his true career, he might possibly have accomplished permanent results.*

* Chron. Laudunens. ann. 1198.—Ottonis de S. Blasio Chron. (Urstisius I. 223 sq.).—Joann. de Flissicuria (D. Bouquet, XVIII. 800).—Rob. Autissiodor. Chron. ann. 1198, 1202.—Rog. Hoveden. Annal. ann. 1198, 1202.—Rigord. de Gest. Phil. Aug. ann. 1195, 1198.—Guillel. Brit. de Gest. Phil. Aug. ann. 1195.—Grandes

Wholly different from Foulques was Durán de Huesca the Catalan. Despite the persecuting edicts of Alonso and Pedro, the Waldensian heresy had taken deep root in Aragon. Durán was one of its leaders, who took part in the disputation held at Pamiers about 1207 between the Waldenses and the Bishops of Osma, Toulouse, and Conserans, in the presence of the Count of Foix. It is probable that Dominic also took part in it, and as the two men had so much in common, one is tempted to believe that to Dominic's eloquence was due the conversion of Durán, which was the only substantial result of the colloquy. Durán was too earnest a man to remain satisfied with assuring his own salvation, and sought thenceforth to win over other erring souls. He not only wrote various tracts against his recent heresy, but he conceived the idea of founding an order which should serve as a model of poverty and self-abnegation, and be devoted to preaching and missionary work, thus fighting the heretics with the very weapons which they had found so efficacious in obtaining converts from the wealthy and worldly Church. Filled with this inspiration, he labored among his brethren and brought many of them over to his way of thinking, from Spain to Italy. In Milan a hundred of them agreed to return to the Church if a building erected by them for a school, which the archbishop had torn down, were restored to them. Durán, with three companions, presented himself before Innocent, who was satisfied with his profession of faith and approved of his plan. Most of the associates were clerks, who had already given away all their possessions in charity. Renouncing the world, they proposed to live in the strictest chastity, to sleep on boards, except in case of sickness, praying seven times a day and observing specified fasts in addition to those prescribed by the Church. Absolute poverty was to be enforced; no thought was to be taken of the morrow, all gifts of gold and silver were to be refused, and only the necessaries of food and clothing were to be accepted. A habit of white or gray was adopted, with sandals to distinguish them from the Waldenses. Those of them who were learned and fit for the work were to devote themselves to preach-

Chroniques, ann. 1195, 1198.—Jacob. Vitriens. Hist. Occident. c. 8.—Radulph. de Coggeshall ann. 1198, 1201.—Chron. Cluniacens. ann. 1198.—Chron. Leodiens. ann. 1198, 1199.—Alberic. T. Font. Chron. ann. 1198.—Geoff. de Villehardouin c. 1.—Annal. Aquicinctin. Monast. ann. 1198.—Joann. Iperii Chron. ann. 1201–2.

ing to the faithful and converting the heretic, pledging themselves not to attack the vices of the clergy. Laymen unable to serve in this capacity were to live in houses and labor with their hands, giving due tithes, oblations, and first-fruits to the Church. The care of the poor, moreover, was to be a special duty, and a rich layman in the diocese of Elne proposed to build for them a hospital with fifty beds, to erect a church, and to distribute garments to the naked. They were to elect their own superior, but were to be in no wise exempt from the regular jurisdiction of the prelates.*

In this institution of the "Pauperes Catholici," or Poor Catholics —as they called themselves in contradistinction to the "Pauperes de Lugduno" or Waldenses—there lay the possibilities of all that Dominic and Francis afterwards conceived and executed. It was the origin, or at least the precursor, of the great Mendicant Orders, the germ of the great fructifying idea which accomplished results so marvellous; and while it is not likely that Francis in Italy borrowed his conception from Durán, it is more than probable that Dominic in France, where he must have been familiar with the movement, was led by the plan of the Poor Catholics to that of the Preaching Friars, which was so closely modelled on it. Yet though at the start Durán had apparently far better prospects of success than either Dominic or Francis, his project was foredoomed from the beginning. Already in 1209 he had communities planted in Aragon, Narbonne, Béziers, Usez, Carcassonne, and Nîmes, but the prelates of Languedoc were universally suspicious of the project and secretly or actively hostile. Cavils were raised as to the reconciliation of converted heretics; complaints were made that the conversions were feigned and that the converts were lacking in respect for the Church and its observances. The crusade was on foot; it seemed easier to crush than to persuade, and in the tumultuous passions of that fierce time the humble methods of Durán and his brethren were laughed to scorn. In vain he appealed to Innocent. In vain Innocent, who viewed the project with the intuition of a Christian statesman, assured him of the papal protection, and wrote again and again to the prelates commanding them to favor the Poor Catholics, reminding them that wandering sheep

* Pet. Sarnens. c. 6.—Guillel. Pod. Laur. c. 8.—Innoc. PP. III. Regest. XI. 196, 197; XII. 17.

were to be welcomed back to the fold, that souls were to be won by gentleness and mercy, and commanding them not to insist on trifles. In vain he even conceded to Durán that secular members of his society should not be required to join in war against Christians, or to take oaths in secular matters, in so far as was compatible with justice and with the rights of their suzerains. The passions and the prejudices which he had unchained in Languedoc had grown beyond his control, and the Poor Catholics disappeared in the tumult. After 1212 we hear little more of them. We find Gregory IX., in 1237, ordering the Dominican Provincial of Tarragona to reform them and let them select one of the approved Rules under which to live. A mandate of Innocent IV., in 1247, to the Archbishop of Narbonne and Bishop of Elne to restrain them from preaching shows that when they attempted to perform the function for which the order had been established they were promptly silenced. It was left to other hands to develop the enormous possibilities of the scheme which Durán had devised.*

Far different were the results achieved by Domingo de Guzman, whom the Latin Church reverences as the greatest and most successful of its champions.

> "Della fede Christiana santo atleta,
> Benigno a' suoi, et a' nemici crudo—
> —E negli stepi eretici percosse
> L'impeto suo più vivamente quivi
> Dove le resistenze eran più grosse."
>
> —PARADISO, XII.

Born at Calaruega, in Old Castile, in 1170, of a stock which his brethren love to connect with the royal house, his saintliness was so penetrating that it reflected back upon his mother, who is reverenced as St. Juana de Aga, and at one time there was danger that even his father might be drawn into the saintly circle. Both parents were buried in the convent of San Pedro de Gumiel, until, about 1320, the Infante Juan Manuel of Castile obtained the body of Juana to enrich the Dominican convent of San Pablo de Peñafiel which he had founded; when Fray Geronymo Orozco, the Abbot of Gumiel, prudently transferred the remains of Don Felix de

* Innocent. PP. III. Regest. XI. 98; XII. 67, 69; XIII. 63, 78, 84; XV. 90, 91, 92, 93, 96, 137, 146.—Ripoll. Bull. Ord. FF. Prædic. I. 96.—Berger, Registres d'Innoc. IV. No. 2752.

Guzman to an unknown spot in order to preserve it from an extension of acquisitive veneration. Even the font of white stone, fashioned like a shell, in which Dominic was baptized could not escape. In 1605 Philip III. transported it with much pomp from Calaruega to Valladolid. Thence it was translated to the royal Convent of San Domingo in Madrid, where it has since been used for the baptism of the royal children.*

Ten years of training in the University of Palencia made of Dominic an accomplished theologian and equipped him thoroughly for the missionary work to which his life was devoted. Entering the Chapter of Osma, he was speedily made sub-prior, and in this capacity we have seen him accompany his bishop, who from 1203 onward for some years was employed on missions that carried him through Languedoc. Dominic's biographers relate that his career was determined by an incident in this first voyage, when he chanced to lodge in the house of a heretic of Toulouse and spent the night in converting him. This success, and the sight of the wide extent of heresy, led him to devote his life to its extirpation. When in 1206 Bishop Diego dismissed his retinue and remained to evangelize the land, Dominic alone was retained; when Diego returned to Spain to die, Dominic remained behind and continued to make Languedoc the scene of his activity.†

The legend which has grown around Dominic represents him as one of the chief causes of the overthrow of the Albigensian heresies. Doubtless he did all that an earnest and single-hearted man could do in a cause to which he had surrendered himself, but historically his influence was imperceptible. The monk of Vaux-Cernay alludes to him but once, as a follower of Bishop Diego, and the epithet there applied to him of "*vir totius sanctitatis*" is but one of the customary meaningless civilities of the day. That he was one of the preachers licensed by the legates under the authority granted by Innocent, in 1207, is shown by an absolution issued by him which has chanced to be preserved, in which he styles himself canon of Osma and "*prædicator minimus*;" but his subordinate

* Bremond de Guzmana Stirpe S. Dominici, Romæ, 1740, pp. 11, 12, 127, 133, 288.

† Bern. Guidon. Tract. Magist. Ord. Prædicat. ann. 1203–6.—Nic. de Trivetti Chron. ann. 1203–9.

position is indicated by the absolution being subject to the pleasure of Legate Arnaud, from whom his authority was derived. This and a dispensation to a burgher of Toulouse to lodge a heretic in his house are the only extant evidences of his activity as a missionary. Yet already his talent for organization had been shown by his founding the Monastery of Prouille. One of the most efficient means by which the heretics propagated their belief was by establishments in which poor girls of gentle blood could obtain gratuitous education. To meet them on their own ground, Dominic, about 1206, conceived the idea of a similar foundation for Catholics, and with the aid of Bishop Foulques of Toulouse he carried it out. Prouille became a large and wealthy convent, which boasted of being the germ of the great Dominican Order.*

For the next eight years the life of Dominic is a blank. That he labored strenuously in his self-imposed mission we cannot doubt, gaining, if not souls, at least skill in disputation, knowledge of men, and the force which comes from the concentration of energies on a task of conscience; but of results there is not a trace in the wild tumult of the crusades. We may safely dismiss as a fable the tradition that he refused successively the bishoprics of Béziers, Conserans, and Comminges, and the legends of the miracles which he wrought in vain among hard-hearted Cathari. He emerges again to view after the battle of Muret had destroyed the hopes of Count Raymond, when the cause of orthodoxy seemed triumphant and the field was unobstructed for conversions. In 1214 he was in his forty-fifth year, in the full strength of mature manhood, yet having thus far accomplished nothing that gave promise of what was to follow. Divested of their supernatural adornments, the accounts which we have of him show him to us as a man of earnest, resolute purpose, deep and unalterable convictions, full of burning zeal for the propagation of the faith, yet kindly in heart, cheerful in temper, and winning in manner. It is significant of the impression produced on his contemporaries that with scarce an exception the miracles related of him are beneficent ones—raising the dead, heal-

* Pet. Sarnens. c. 7.—Innoc. PP. III. Regest. IX. 185.—Paramo de Orig. Offic. S. Inquis. Lib. II. Tit. 1, c. 2, §§ 6, 7.—Nic. de Trivetti Chron. ann. 1205.—Chron. Magist. Ord. Prædic. c. 1.—Bern. Guidon. Hist. Fundat. Convent. (Martene Ampl. Collect. VI. 439).

ing the sick and converting heretics, not by punishment, but by showing that he spoke by command of the Almighty. The accounts of his habitual austerities may be exaggerated, but no one who is familiar with the self-inflicted macerations of the hagiology need hesitate to believe that Dominic was as severe with himself as with his fellows, even though we may not place faith in the legend that his constant falling out of bed when an infant was caused by an early ascetic development which led him to prefer mortifying the flesh on a hard floor to the luxury of a soft couch. His endless scourgings, his tireless vigils, and, when exhausted nature could bear them no longer, his short repose on a board, or in the corner of a church where he had passed the night, his almost uninterrupted prayer, his superhuman fasts, are probably only harmless exaggerations of the truth. So, too, may be the legends which tell of his boundless charity and his love for his fellows; how, when a student, in a time of dearth he sold all his books to relieve the distress around him, and would, unless divinely prevented, have sold himself to redeem from the Moors a captive whose sister he saw overwhelmed with grief. Whether these stories be true or not, they at least show us the ideal which his immediate disciples thought to realize in him.*

The brief remaining years of Dominic's life witnessed the rapid garnering of the harvest sowed in the period of humble but zealous obscurity. In 1214 Pierre Cella, a rich citizen of Toulouse, moved by his earnestness, resolved to join him in his mission-work, and gave for the purpose a stately house near the Château Narbonnais, which for more than a hundred years remained the home of the Inquisition. A few other zealous souls gathered around him, and the little fraternity commenced to live like monks. Foulques, the fanatic Bishop of Toulouse, assigned to them a sixth of the

* Lacordaire, Vie de S. Dominique. p. 124.—Nic. de Trivetti Chron. ann. 1203. —Jac. de Voragine Legenda Aurea, Ed. 1480, fol. 88*b*, 90*a*.

As St. Francis had the distinguishing peculiarity of the Stigmata, so the Dominicans boasted that their founder had the special characteristic that when his tomb was opened the odor of sanctity exhaled from it was a delicious scent from paradise hitherto unknown, so penetrating in quality that it pervaded the whole land, and so persistent that those who touched the holy relics had their hands perfumed for years.—Prediche del Beato Fra Giordano da Rivalto, Firenze, 1831, I. 47.

tithes, to provide them with books and other necessaries, that they might not lack the means of training themselves and others for the work of preaching, which was the main object of the community. By this time Durán de Huesca's attempt had proved a failure, and Dominic, who must have been familiar with it, doubtless saw the causes of its ill-success and the means to avoid them. Yet it is noteworthy that in the inception of the plan there was no thought of employing force. The heretics of Languedoc lay defenceless at the feet of de Montfort, an easy prey to the spoiler, but Dominic's project only looked to their peaceful conversion and to performing the duties of instruction and exhortation of which the Church had been so wholly neglectful.*

All eyes were now bent on the Lateran Council which was to decide the fate of the land. Foulques of Toulouse on his voyage thither took with him Dominic to obtain from the pope his approval of the new community. Tradition relates that Innocent hesitated; his experience with Durán de Huesca had not taught him to expect much from the irregular action of enthusiasts; the council had forbidden the formation of new orders of monkhood, and had commanded that zeal for the future should satisfy itself with those already established. Yet Innocent's doubts were removed by a dream in which he saw the Lateran Basilica tottering and ready to fall, and a man in whom he recognized the humble Dominic supporting it on his shoulders. Thus divinely warned that the crumbling church edifice was to be restored by the man whose zeal he had despised, he approved the project on condition that Dominic and his brethren should adopt the Rule of some established order.†

Dominic returned and assembled his brethren at Prouille. They were by this time sixteen in number, and it is a curious illustration of the denationalizing influence of the Church to observe in this little gathering of earnest men in that remote spot that Castile, Navarre, Normandy, France, Languedoc, England, and Germany were represented. This self-devoted band adopted the rule of the Canons Regular of St. Augustin, which was Dominic's own,

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* Nic. de Trivetti Chron. ann. 1215.—Bernardi Guidonis Tract. de Magist. Ord. Prædic. (Martene Ampl. Coll. VI. 400).—Hist. Ordin. Prædic. c. 1 (Ib. 332).

† Nic. de Trivetti loc. cit.—Chron. Magist. Ord. Prædic. c. 1.—Bernard. Guidonis loc. cit.—Concil. Lateran. IV. c. xiii.—Harduin. Concil. VII. 83.

and elected Matthieu le Gaulois as their abbot. He was the first and last who bore this title, for as the Order grew its organization was modified to secure greater unity and at the same time greater freedom of action. It was divided into provinces, the head of each being a provincial prior. Supreme over all was the general master. These offices were filled by election, with tenure during good behavior, and provisions were made for stated assemblies, or chapters, both provincial and general. Each brother, or friar, was held to implicit obedience. Like a soldier on duty, he was liable at any moment to be despatched on any mission that the interest of religion or of the Order might demand. They deemed themselves, in fact, soldiers of Christ, not devoted, like the monks, to a life of contemplation, but trained to mix with the world, exercised in all the arts of persuasion, skilled in theology and rhetoric, and ready to dare and suffer all things in the interest of the Church Militant. The name of Preaching Friars, which acquired such world-wide significance, was the result of accident. During the Lateran Council, while Dominic was in Rome, Innocent had occasion to address a note to him and ordered his secretary to begin, "To brother Dominic and his companions;" then, correcting himself, he said, "To brother Dominic and the preachers with him," and finally, considering further, "to Master Dominic and the brethren preachers." This greatly pleased them, and they at once commenced calling themselves Friar Preachers.*

Curiously enough, poverty formed no part of the original design. The impulse to found the order was given by Cella's donation of his property and the share of the tithes offered by Bishop Foulques; and, as soon as it was organized, Dominic had no scruple in accepting three churches from Foulques—one in Toulouse, one in Pamiers, and one in Puylaurens. The historians of the Order endeavor to explain this by saying that its founders desired to make poverty a feature of the Rule, but were deterred for fear that so novel an idea would prevent the papal confirmation. As Innocent had already approved of poverty in Durán de Huesca's scheme, the futility of this excuse is apparent, and we may well doubt the

* Hist. Ordin. Prædicat. c. 1, 2, 3.—Chron. Magist. Ordin. Prædicat. c. 1.—Beruard. Guidonis Tract. de Magist. Ord. Prædic. (Martene Ampliss. Coll. VI. 332–4, 400).

legends about Dominic's rigidity in requiring his brethren to dispense absolutely with the use of money. Certain it is that as early as 1217 we find the friars quarrelling with the agents of Bishop Foulques over the grant of tithes, and demanding that churches with only half a dozen communicants should be reckoned as parish churches and subject to their claim on the tithes. It was not until the success of the Franciscans had shown the attractive power of poverty that it was adopted by the Dominicans in the General Chapter of 1220. It was finally embodied in the constitution adopted by the Chapter of 1228, which prohibited that lands or revenues should be acquired, ordered preachers not to solicit money, and classed among the graver offences the retention by a brother of any of the things forbidden to be received. The Order speedily outgrew these restrictions, but Dominic himself set an example of the utmost rigidity in this respect, and when he died in Bologna, in 1221, it was in the bed of Friar Moneta, as he had none of his own, and in Moneta's gown, for his own was worn out and he had not another to replace it; and when the Rule was adopted in 1220 such property as was not essential for the needs of the Order was made over to the Convent of Prouille.*

All that now was lacking was the papal confirmation of the Order and its statutes. Before Dominic could reach Rome on the errand to obtain this, Innocent had died, but his successor, Honorius III., entered fully into his views, and the sanction of the Holy See was given on December 21, 1216. Returning to Toulouse in 1217, Dominic lost no time in dispersing his followers. It was not for them to practise the strenuous idleness of conventual life, in a ceaseless round of barren liturgies. They were the leaven which was to leaven Christianity, the soldiers of Christ who were to carry the banner of salvation to the farthest corners of the earth, and for them there was no pause or rest. The little band seemed absurdly inadequate for the task, but Dominic never hesitated. Some were sent to Spain, others to Paris, others again to Bologna, while

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*Bernard. Guidon. Tract de Ordin. Prædic. (Martene Ampl. Collect. VI. 400, 402–3).—Ejusd. Hist. Fund. Convent. Prædic. (Ib. 446–7).—Hist. Ordin. Prædic. c. 9.—Nic. de Trivetti Chron. ann. 1220, 1228.—Chron. Magist. Ordin. Prædic. c. 3.—Constit. Frat. Prædic. ann. 1228, Dist. I. c. 22; II. 26, 34 (Archiv für Literatur- und Kirchengeschichte, 1886, pp. 209, 222, 225).

Dominic himself went to Rome, where, under the favor of the papal court, his enthusiasm was rewarded with an abundance of disciples. Those who went to Paris were warmly received, and were granted the house of St. Jacques, where they founded the famous convent of the Jacobins, which endured until the Order was swept away in the Revolution. The state of mental exaltation in which laymen and ecclesiastics of all ranks hastened to join the new Order is shown by the persecutions which the early brethren of St. Jacques endured from Satan. Frightful or sensual visions were constant with them, so that they were obliged by turns to keep watch at night over each other. Many of them were diabolically possessed and became mad. Their only refuge was the Virgin, and to the gracious assistance which she rendered them in their trials is attributed the Dominican custom of singing "Salve Regina" after complins, during which pious exercise she was frequently seen hovering over them in a sphere of light. Men in such a frame of mind were ready to suffer and to inflict all things for the sake of salvation.*

It is not worth while to follow further in detail the marvellous growth of the Order in all the lands of Europe. Already in 1221, when Dominic as General Master held the second General Chapter in Bologna, four years after the sixteen disciples had parted in Toulouse, the Order already had sixty convents, and was organized into eight provinces—Spain, Provence, France, England, Germany, Hungary, Lombardy, and Romagnuola. The same year witnessed the death of Dominic, but his work was done and his removal from the scene made no change in the mighty machine which he had built and set in motion. Everywhere the strongest intellects of the age were donning the Dominican scapular, and everywhere they were earning the respect and veneration of the people. Their services to the papacy were fully recognized, and they are speedily found filling important offices in the curia. In 1243 the learned Hugh of Vienne became the first Dominican cardinal, and in 1276 the Dominicans rejoiced to see Brother Peter of Tarentaise raised

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* Nic. de Trivetti Chron. ann. 1215, 1217, 1218.—Chron. Magist. Ord. Prædic. c. 2.—Hist. Ordin. Prædic. c. 1, 5.—Bern. Guidon. Tract. de Magist. Ord. Prædic. (Martene Ampl. Coll. VI. 401).—Hist. Convent. Parisiens. Frat. Prædic. (Ib. 549-50).

to the chair of St. Peter as Innocent V. Yet the delay in Dominic's canonization would seem to show that personally he made less impression on his contemporaries than his followers would have us believe. Dying in 1221, the bull enrolling him in the calendar of saints only bears date July 3, 1234. His great colleague, or rival, Francis, who died in 1226, was canonized within two years, in 1228; the young Franciscan, Antony of Padua, who died in 1231, was recognized as a saint in 1233; and when the great Dominican martyr, St. Peter Martyr, was slain, April 12, 1252, proceedings for his canonization were commenced August 31 of the same year and were completed by March 25, 1253, less than a twelvemonth after his death. That thirteen years should have elapsed in the case of Dominic shows that his merits were recognized but slowly.*

If the Franciscans were in the end closely assimilated to the Dominicans, it was through the overmastering demands of the work to be accomplished by both, for in their origin the Orders were destined to objects as diverse as the characters of their founders. If St. Dominic was the type of the active practical missionary, St. Francis was the ideal of the contemplative ascetic, modified by boundless love and charity for his fellows.

Born in 1182, Giovanni Bernardone was the son of a prosperous trader of Assisi, who trained him in his business. Accompanying his father on a voyage to France, he came back with the accomplishment of speaking French, which gained for him among his companions the nickname of Francesco, a name which he adopted as his own. A dissipated youth was brought to a sudden close in his twentieth year by a dangerous illness which resulted in his conversion, and thereafter he devoted himself to works of mercy and charity, earning for himself with no little verisimilitude the reputation of insanity. In order to restore the dilapidated church of St. Damiani he stole a quantity of his fa-

* Bern. Guidon. Tract. de Magist. (Martene VI. 403–4).—Ejusd. Hist. Convent. Prædic. (Ib. 459).—Nic. de Trivetti Chron. ann. 1221, 1243, 1276.—Hist. Ordin. Prædic. c. 7.—Mag. Bull. Roman. I., 73, 74, 77, 84.

An enumeration of the Dominican Order made in 1337, at the request of Benedict XII., showed about twelve thousand members. Preger, Vorarbeiten zu einer Geschichte der deutschen Mystik (Zeitschrift für die hist. Theol. 1869, p. 12).

ther's cloths, which he sold at Foligno, together with the horse that carried them. Finding him irrevocably bent on following his own devices, the exasperated parent took him before the bishop to make him renounce all claim on his inheritance, which Francis willingly did, and to render the renunciation more complete stripped off all his clothes, save a hair shirt worn to mortify the flesh, when the bishop, to cover his nakedness, gave him the worn-out cloak of a peasant serving-man.*

Francis was now fairly embarked on a life of wandering beggary, which he used to so good an account that be was able to restore four churches which were sinking to ruin. He had no thought other than to work out his own salvation in poverty and acts of loving charity, especially to lepers; but the fame of his holiness spread, and the Blessed Bernard of Quintavalle asked to be associated with him. The solitary ascetic at first was indisposed to companionship, but to learn the will of God he thrice opened the Gospels at random, and his finger lit on the three texts on which the great Franciscan order was founded:

"And Jesus said unto him, If thou wilt be perfect, go and sell that thou hast and give to the poor, and thou shalt have treasure in heaven: and come and follow me" (Matt. xix. 21).

"Be not ye therefore like unto them, for your Father knoweth what things ye have need of before ye ask him" (Matt. vi. 8).

"Then said Jesus unto his disciples, If any man will come after me, let him deny himself, and take up his cross and follow me" (Matt. xvi. 24).

The command was obeyed and the recruit accepted. Others joined from time to time, till the little band numbered eight. Then Francis announced that the time had come for them to evangelize the world, and dispersed them in pairs to the four points of the compass. On their reuniting, four more volunteers were added, when Francis drew up a Rule for their governance, and the twelve proceeded to Rome, according to the Franciscan legend, at the time of the Lateran Council, to procure the papal confirmation. When Francis presented himself to the pope in the aspect of a beggar the pontiff indignantly ordered him away, but tradition relates that a vision that night induced him to send for the mendicant. There was much hesitation among the papal advisers, but the earnestness

* Bonaventuræ Vit. S. Fran. c. i., c. ii. No. 1-4.

and eloquence of Francis won the day, and finally the Rule was approved and the brethren were authorized to preach the Word of God.*

Even yet were they undecided whether to abandon themselves to the contemplative life of anchorites or to undertake the great work of evangelization which lay before them in its immensity. They withdrew to Spoleto and counselled earnestly together without being able to reach a conclusion, until a revelation from God, which we can readily believe as actual to a mind such as that of Francis, turned the scale, and the Franciscan Order, in place of dying out in a few scattered hermitages, became one of the most powerful organizations of Christendom, though the abandoned hovel to which they resorted on their return to Assisi gave little promise of future splendor. The rapidity of the growth of the Order may be measured by the fact that when Francis called together his first General Chapter in 1221, it was attended by brethren variously reported as from three thousand to five thousand, including a cardinal and several bishops; and when, in the General Chapter of 1260, under Bonaventura, the Order was redistributed to accord with its growth, it was partitioned into thirty-three provinces and three vicariates, comprehending in all one hundred and eighty-two guardianships. This organization can be understood by the example of England, which formed a province divided into seven guardianships, containing, as we learn from another source, in 1256, forty-nine houses with twelve hundred and forty-two friars. The Order then extended into every corner of what was regarded as the civilized world and its contiguous regions.†

The Minorites, as in humility they called themselves, were so different in their inception from any existing organization of the

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* S. Bonavent. c. II., III.

This account is doubtless colored by the result and adapted unconsciously to the successive stages of a formal religious organization. At first, however, the brethren were not expected to abandon their ordinary pursuits. They were required to follow their regular handicraft, earning their livelihood, and not living on alms except in case of necessity. See the First Rule, as reconstructed by Prof. Karl Müller, Die Anfänge des Minoritenordens, Freiburg, i. B., 1885, p. 186.

† Bonavent. Vit. Franc. c. IV. No. 10.—Frat. Jordani Chron. (Analecta Franciscana I. 6. Quaracchi, 1885).—Waddingi Annal. Minorum ann. 1260, No. 14. —Th. de Eccleston de Adventu Minorum Collat. 2.

Church that when, in 1219, St. Francis made the first dispersion and sent his disciples to evangelize Europe, those who went to Germany and Hungary were regarded as heretics, and were roughly handled and expelled. In France they were taken for Cathari, to whose wandering perfected missionaries their austerity doubtless gave them close resemblance. They were asked if they were Albigenses, and, not knowing the meaning of the term, knew not what to say, and it was only after the authorities had consulted Honorius III. that they were relieved from suspicion. In Spain five of them endured martyrdom. Innocent had only given a verbal approbation of the Rule; he was dead, and something more formal was requisite to protect the brethren from persecution. Francis accordingly drew up a second Rule, more concise and less rigid than the first, which he submitted to Honorius. The pope approved it, though not without objecting to some of the clauses; but Francis refused to modify them, saying that it was not his but Christ's, and that he could not change the words of Christ. From this his followers assumed that the Rule had been divinely revealed to him. This belief passed into the traditions of the Order, and the Rule has been maintained unaltered in letter, though, as we shall see, its spirit has been more than once explained away by ingenious papal casuists.*

It is simple enough, amounting hardly to more than a gloss on the entrance-oath required of each friar, to live according to the gospel, in obedience, chastity, and without possessing property. The applicant for admission was required to sell all he had and give it to the poor, and if this were impossible the will so to do sufficed. Each one was permitted to have two gowns, but they must be vile in texture, and were to be patched and repaired as long as they could be made to hang together. Shoes were allowed to those who found it impossible to forego them. All were to go on foot, except in case of sickness or necessity. No one was to receive money, either directly or through a third party, except

* Frat. Jordani Chron. (Analecta Franciscana I. 3).—S. Francisci Colloq. IX. —Liber Conformitatum, Lib. I. Fruct. 9 (Ed. 1513, fol. 77*a*).—Potthast Regesta No. 7108.

The dates and details of the successive Rules drawn up by Francis are involved in considerable obscurity. The subject has been discussed with much acuteness by Karl Müller, op. cit.

that the ministers (as the provincial superiors were called) could do so for the care of the sick and for provision of clothing, especially in rigorous climates. Labor was strenuously enjoined on all those able to perform it, but wages were not to be in money, but in necessaries for themselves and their brethren. The clause requiring absolute poverty caused, as we shall see, a schism in the order, and therefore is worth giving textually: "The brethren shall appropriate to themselves nothing, neither house, nor place, nor other thing, but shall live in the world as strangers and pilgrims, and shall go confidently after alms. In this they shall feel no shame, since the Lord for our sake made himself poor in the world. It is this perfection of poverty which has made you, dearest brethren, heirs and kings of the kingdom of heaven. Having this, you should wish to have naught else under heaven." The head of the Order, or General Minister, was chosen by the Provincial Ministers, who could at any time depose him when the general good required it. Faculties for preaching were to be issued by the General, but no brother was to preach in any diocese without the assent of the bishop.*

This is all; and there is nothing in it to give promise of the immense results achieved under it. What gave it an enduring hold on the affections of the world was the spirit which the founder infused in it and in his brethren. No human creature since Christ has more fully incarnated the ideal of Christianity than Francis. Amid the extravagance, amounting at times almost to insanity, of his asceticism, there shines forth the Christian love and humility with which he devoted himself to the wretched and neglected—the outcasts for whom, in that rude time, there were few indeed to care. The Church, absorbed in worldliness, had outgrown the duties on which was founded its control over the souls and hearts of men, and there was need of the exaggeration of self-sacrifice taught by Francis to recall humanity to a sense of its obligations. Thus, of all the miseries of that age of misery, the hardest lot was that of the leper—the being afflicted by God with a loathsome, incurable, and contagious disease, who was cut off from all intercourse with fellow-men, and who, when he wandered abroad for alms from the lazar-house in which he was herd-

* B. Francisci Regul. II.

ed, was obliged, by clattering sticks, to give notice of his approach, that all might shun his pestiferous neighborhood. It was to these, the most helpless and hopeless and abhorred of mankind, that the boundless charity and love of Francis was especially directed. The example which he set in his own person he required to be followed by his brethren; and when noble or simple applied for admission to the Order he was told that prominent among the obligations which he assumed was that of humbly serving the lepers in their hospitals. Francis did not hesitate to sleep in the lazar-houses, to handle the dangerous sores of the afflicted, to apply medicaments, and to minister to the sufferings of the body as well as of the soul. For the sake of the leper he relaxed the rule as to receiving alms in money. Yet his humility led him to forbid his disciples from leading in public the "Christian brethren," as he called them. Once, when Friar James had taken with him to church a leper who was shockingly eaten by disease, Francis reproved him; then, reproaching himself for what the sufferer might regard as a slight, he asked Friar Peter of Catania, at that time the minister-general of the Order, to confirm the penance which he had appointed for himself, and when Peter, who looked upon him with too much reverence to deny him anything, had assented, he announced that he would eat out of the same dish as the sick man. At the next simple meal, therefore, the leper was seated among them, and the brethren were terrified to see a single dish set between the two, and the leper dipping his fingers, dripping with blood and purulent discharge, into the food common to both.*

It would perhaps be too much to assert one's faith in the absolute veracity of such stories, but that makes little difference. If they be but legendary, the very growth of the legend shows the impression which Francis left on those who followed him; and the value of such an ideal on an age so hard and cruel can scarce be exaggerated. We know as a fact that the Franciscans were ever foremost in the cure of the sick, that they tended the hospitals in the midst of pestilence, and that to their intelligent devotion is due whatever progress the science of healing made in the dark ages. We are told, moreover, that the tender love of

* Lib. Conformitatum Lib. II. Fruct. 5, fol. 155*b*.

Francis lavished itself on the brute creation as well as on man—on insects, birds, and beasts, whom he was wont to call his brethren and sisters, and for whom he was never weary in caring. All the stories related of him and his immediate disciples, in fact, are instinct with infinite love and self-sacrifice, with the perfection of humility and patience and long-suffering, with the control of the passions, and with endless striving to subdue all that renders human nature imperfect, and to realize the standard which Christ had erected for the guidance of man. Viewed in this aspect, even the semi-blasphemy of the "Book of Conformities of Christ and Francis" loses its grotesqueness. We may, indeed, smile at the absurdity of some of its parallels, and they may seem shocking enough when cleverly presented, stripped of all that softens them, in the "Alcoran des Cordeliers." We may doubt the verity of the Stigmata which it took so long and so many miracles, and repetition of papal bulls, to impose upon the incredulity of a hard-hearted generation. We may think that Satan showed less than his usual shrewdness when he so repeatedly wasted his energies in seeking to tempt or to terrify the saint in the crude form of a lion or of a dragon. Yet, in spite of all the absurdities of the cult of St. Francis, we recognize the profound impression which his virtues made on his followers in the vision which showed the heavenly throne of Lucifer, next to the Highest, kept vacant to be filled by Francis.*

To the pride and cruelty of the age he opposed patience and humility. "The perfection of gladness," he says, "consists not in working miracles, in curing the sick, expelling devils, or raising

* Bonavent. Vit. Francis. c. 8.—Lib. Conformitatum Lib. I. Fruct. 1, fol. 13*a*; Lib. III. Fruct. 3, fol. 210*a*.—Thomæ de Eccleston de Adventu Minorum Collat. XII.—Alex. PP. IV. Bull. *Quia longum* ann. 1259—Wadding. ann. 1256, No. 19.—Mag. Bull. Roman. I. 79, 108.—Potthast Regesta No. 16308.—See also Mr. J. S. Brewer's eloquent tribute to the Franciscans in his preface to the Monumenta Franciscana (M. R. Series).

In 1496 the University of Paris condemned as scandalous and savoring of heresy the attempts of the Franciscans to assimilate their patron to Christ.—(D'Argentré, Coll. Judic. de nov. Error. I. ii. 318.)

When the Dominicans claimed for St. Catharine of Siena the honor of the Stigmata, Sixtus IV., in 1475, issued a bull prohibiting her being represented with them, as they were reserved for St. Francis (Martene Ampliss. Collect. VI. 1336). They had not as yet been vulgarized by La Cadière and Louise Lateau.

the dead; nor in learning and knowledge of all things; nor in eloquence to convert the world, but in bearing all ills and injuries and injustice and despiteful treatment with patience and humility." So far from valuing himself on his virtues, he humbly confesses that he had himself not lived up to the Rule, and apologizes for it through his infirmity and ignorance. To what extravagant lengths his disciples carried this striving for humility is shown by Giacomo Benedettone, better known as Jacopone da Todi, the author of the Stabat Mater, an active and successful lawyer, who, crushed by the death of a lovely wife, entered the Order, and for ten years feigned idiocy in order to revel in the abuse and ill-treatment that were showered upon him.*

Obedience was taught and enforced to the utter renunciation of the will, and many are the stories related to show how completely the earlier disciples subjected themselves to each other and to their superiors. When, in 1224, the Franciscans were first sent to England, Gregory, the Provincial Minister of France, asked Friar William of Esseby if he wished to go. William replied that he did not know whether he wished it or not, because his will was not his own, but the minister's, and therefore he wished whatever the minister wished him to wish. Somewhat similar is a story told of two brethren of Salzburg in 1222. This blindness of obedience produced a discipline in the Order which increased incalculably its importance to the Church when it grew to be an instrument in the hands of the papacy. St. Francis was especially emphatic in urging upon the brethren the most implicit devotion to Rome, and the Franciscans became an army which played in the thirteenth century the part filled by the Jesuits in the sixteenth.†

It was no part of Francis's design that the friars should live by idle mendicancy, and we have seen that the Rule expresses the obligation to labor. This was obeyed by the stricter members. Thus his third disciple, the blessed Giles, earned his subsistence by the rudest work, such as that of carrying wood, and he always

* S. Francis. de Perfecta Lætitia; Ejusd. Epistt. xi., xv.— Waddingi Annal. ann. 1298, No. 24-40.—Cantù, Eretici d'Italia, I. 128.

† Lib. Conform. Lib. i. Fruct. 8, fol. 47.—Thom. de Eccleston Collat. i.—Frat. Jordani Chron. c. 27 (Analecta Franciscana I. 10). — S. Francis. Collat. Monasticæ, Collat. 20.

adhered to the precept not to take wages in money, but in necessaries for his support. When he had earned more than enough for the scanty subsistence of the day, he would give away the surplus in charity, and trust to God for the morrow. It was well that, in an age of class distinctions so rigid, there should be some to teach practically the dignity of labor as a Christian doctrine. When St. Bonaventura was elevated to the cardinalate, in 1273, he had for seventeen years been the head of what by that time was the most powerful organization in Christendom, yet the messengers sent to announce to him his promotion arrived while he was engaged in his daily task of washing the dishes used in the frugal dinner of his convent. He refused to see them till his work was finished, and meanwhile the hat which they had brought was hung upon the branch of a tree.*

Thus the aim of St. Francis and his followers was to realize the simplicity of Christ and the apostles, and in nothing was this manifested with so much fervor as in their seeking after poverty. They argued that Jesus and his disciples owned nothing, and that the perfect Christian must likewise divest himself of all property. Of food and clothing and shelter he might have the use, as likewise of books requisite for his religious needs, but property of all kinds was absolutely prohibited, and the Christian's trust in God rendered forethought for the morrow a sin. As a protest against the avarice and worldliness of the Church, this was of exceeding value, but it was pushed to an extravagance which idealized poverty as an intrinsic good, and the greatest of all goods. "Brethren," said St. Francis, "know that poverty is the special path to salvation, the inciter to humility, and the root of perfection. . . . He who seeks to attain the height of poverty must, in a sense, renounce not only worldly prudence, but the knowledge of letters, so that, divesting himself of these possessions, he may offer himself naked to the arms of the Crucified. . . . Wherefore, like beggars, build little hovels in which to live, not as in your own, but as strangers and pilgrims in the houses of others." His prayer to Christ for poverty is a curiously earnest rhapsody. She is Lady Poverty, the Queen of virtues, for whose sake Christ descended unto earth, to marry her and beget on her all the children of per-

* Waddingi Annal. ann. 1263, No. 3, 4, 8; ann. 1278, No. 12.

fection. She clung to him with inseparable fidelity, and in her arms he died upon the cross. She alone possesses the seal with which to mark the elect who choose the way of perfection. "Grant me, O Jesus, that I may never possess under heaven anything of my own, and sustain the flesh sparely by the use of the things of others!" This exaggerated lust of poverty he carried out to the last, and on his death-bed stripped himself naked that he might die possessing absolutely nothing. Poverty thus was the corner-stone on which he founded the Order, and, as we shall see, the effort to maintain this superhuman perfection led to a schism and gave to the Inquisition an ample store of victims whose heresy consisted in fidelity to the precepts of their founder.*

With all this there was too much kindliness in his nature for gloom, and cheerfulness was a virtue which he constantly inculcated. Sadness he held to be one of the most deadly weapons of Satan, while cheerfulness was the Christian's thankful acknowledgment of the blessings bestowed by God upon his creatures. This was consequently a distinguishing characteristic of the Friars in the early days of the Order. In Eccleston's simple and quiet narration of their advent to England, in 1224, when nine of them crossed to Dover without knowing what their fate might be from day to day, there is something singularly beautiful in the picture of their zeal, their trustfulness, their patience, their unfailing cheerfulness under privation and disappointment, and in their tireless activity in ministering to the spiritual and corporeal wants of the neglected children of the Church. Such men were real apostles, and had the Order continued to follow the lines laid down by its founder its services to humanity would have been incalculable.†

The Mendicant Orders were a startling innovation upon the monastic theory. In its essence monachism was the selfish effort of the individual to secure his own salvation by repudiating all the duties and responsibilities of life. It is true that at one time it had earned the gratitude of the world by leaving its retreats and carrying civilization and Christianity into barbarous regions,

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* S. Francis. Collat. Monast. Collat. 5.—Ejusd. pro Paupertate obtinenda Oratio.—Lib. Conform. Lib. III. Fruct. 4, fol. 215*a*.

† S. Francis. Colloq. 27.—Th. de Eccleston de Adventu Minorum Collat. 1, 2.

under such men as St. Columba, St. Gall, and St. Willibrod, but that time had long past, and for ages it had sunk into worse than its primitive selfishness. The Mendicants came upon Christendom like a revelation—men who had abandoned all that was enticing in life to imitate the apostles, to convert the sinner and unbeliever, to arouse the slumbering moral sense of mankind, to instruct the ignorant, to offer salvation to all; in short, to do what the Church was paid so enormously in wealth and privileges and power for neglecting. Wandering on foot over the face of Europe, under burning suns or chilling blasts, rejecting alms in money but receiving thankfully whatever coarse food might be set before the wayfarer, or enduring hunger in silent resignation, taking no thought for the morrow, but busied eternally in the work of snatching souls from Satan, and lifting men up from the sordid cares of daily life, of ministering to their infirmities and of bringing to their darkened souls a glimpse of heavenly light—such was the aspect in which the earliest Dominicans and Franciscans presented themselves to the eyes of men who had been accustomed to see in the ecclesiastic only the sensual worldling intent solely upon the indulgence of his appetites. It is no wonder that such an apparition accomplished much in restoring to the populations the faith in Christianity which had begun to be so sorely shaken, or that it spread through Christendom the hope of an approaching regeneration in the Church which greatly lessened popular impatience under its exactions, and doubtless staved off a rebellion which would have altered the aspect of modern civilization.

It is no wonder, moreover, that the love and veneration of the people followed the Mendicants; that the charitable showered their gifts upon them, to the destruction of the primal obligation of poverty; that the men of earnest convictions pressed forward to join their ranks. The purest and noblest intellects might well see in such a career the realization of their loftiest aspirations; and whenever in the thirteenth century we find a man towering above his fellows, we are almost sure to trace him to one of the Mendicant Orders. Raymond of Pennaforte, Alexander Hales, Albertus Magnus, Thomas Aquinas, Bonaventura, Roger Bacon, Duns Scotus, are names which show how irresistibly the men of highest gifts were led to seek among the Dominicans or Franciscans their ideal of life. That they failed to find it goes with-

out saying, but their presence in the Orders is at once an evidence of the impression which the Mendicants made upon all that was worthiest in the age, and an explanation of the enormous influence which the Orders obtained with such marvellous rapidity. Even Dante cannot refuse to them the tribute of his admiration—

> "L'un fu tutto serafico in ardore,
> L' altro per sapienza in terra fue
> Di cherubica luce uno splendore."
>
> (PARADISO, XI.)

There was another instrumentality of vast importance, in utilizing which both Francis and Dominic manifested their organizing ability—the Tertiary Orders through which laymen, without abandoning the world, were assimilated to the respective brotherhoods, aided in their labors, shared in their glory, and added to their influence, thus stimulating and utilizing the zeal of the community at large. There is a trace of an order of Crucigeri or Cross-bearers, laymen organized for the defence of the Church, claiming to date back to the time of Helena, mother of Constantine, and revived in 1215 by the Lateran Council, but there is no evidence of its activity or usefulness. Francis, however, who, though unlearned in scholastic theology and untrained in rhetoric, excelled his contemporaries in insight into the gospel and possessed a simple, earnest eloquence which carried the hearts of his hearers, on one occasion produced by his preaching so profound an impression that all the inhabitants of the town, men, women, and children, begged admission to his Order. This was manifestly impossible, and he bethought him of framing a Rule by which persons of both sexes, while remaining in the world, could be subjected to wholesome discipline and be connected with the fraternity, which in turn promised them its protection. Of the restrictions placed on them perhaps the most significant was that they should carry no weapons of offence except for the defence of the Roman Church, the Christian faith, and their own lands. The project and the Rule were approved by the pope in 1221, and the official name of the organization was "The Brothers and Sisters of Penitence," though it became popularly known as the Tertiary Order of Minorites, or Franciscans. Under the more aggressive name of "Militia Jesu Christi," or Soldiery of Christ, Dominic founded a

similar association of laymen connected with his Order. The idea proved a most fruitful one. It reorganized to some degree the Church by removing a portion of the barrier which separated the layman from the ecclesiastic. It brought immense support to the Mendicant Orders by enlisting with them multitudes of the earnest and zealous, as well as those who from less worthy motives sought to share their protection and enjoy the benefit of their influence. Types of both classes may be found in the royal house of France, for both St. Louis and Catherine de Medicis were Tertiaries of St. Francis.*

To comprehend fully the magnitude and influence of these movements we must bear in mind the impressionable character of the populations and their readiness to yield to contagious emotion. When we are told that the Franciscan Berthold of Ratisbon frequently preached to crowds of sixty thousand souls we realize what power was lodged in the hands of those who could reach masses so easily swayed and so full of blind yearnings to escape from the ignoble life to which they were condemned. How the slumbering souls were awakened is shown by the successive waves of excitement which swept over one portion of Europe after another about the middle of the century. The dumb, untutored minds began to ask whether an existence of hopeless and brutal misery was all that was to be realized from the promises of the gospel. The Church had made no real effort at internal reform; it was still grasping, covetous, licentious, and a strange desire for something—they knew not exactly what—began to take possession of men's hearts and spread like an epidemic from village to village and from land to land. In Germany and France there is another Crusade of the Children, earning from Gregory IX. the declaration that they gave a fitting rebuke to their elders, who were basely abandoning the birth-place of humanity.†

But the most formidable and significant manifestation of this universal restlessness and gregarious enthusiasm is seen in the uprising of the peasantry—the first of the wandering bands known

* Philip. Bergomat. Supplem. Chronic. Lib. XIII. ann. 1215.—Bonavent. Vit. S. Fran. c. IV. No. 5; c. XI.—Regula Fratrum Sororumque de Pœnitentia.—Potthast Regest. No. 6736, 7503, 13073.—Chron. Magist. Ordin. Prædicat. c. 2, 9.—Raynald. Annal. ann. 1233, No. 40.—Nicolai PP. IV. Bull. *Supramontem*, ann. 1289.

† Chron. Augustens. ann. 1250.—Matt. Paris. ann. 1252.

as Pastoureaux. The helpless and hopeless state of the lower classes of society in those dreary ages has probably never been exceeded in any period of the world's history. The terrible maxim of the feudal law, that the villein's only appeal from his lord was to God—"Mès par notre usage n'a-il entre toi et ton vilein juge fors Deu"—condenses in a word the abject defencelessness of the major part of the population, and human degradation has never, perhaps, been more forcibly expressed than in the infamous *jus primæ noctis* or "droit de marquette." The bitter humor of the trouvère Ruteboeuf describes how Satan considered the soul of the villein too despicable to be received in hell; there was no place for it in heaven, so that, after a life of misery on earth, it had no refuge in the hereafter. It is noteworthy in many ways that the Church, which should have been the mediator between the villein and his lord, and which, in teaching the common brotherhood of man, should have earned the gratitude of the miserable serf, was always the special object of aversion and attack in the brief saturnalia of the self-enfranchised wretches.*

Suddenly, about Easter, 1251, there appeared a mysterious preacher, known as the Hungarian, advanced in years, and clothed with the attributes which most excite popular awe and veneration. In his clenched hand, which never was opened, he carried a paper given to him by the Virgin Mary herself, which was his mandate and commission. Yet men said that he had from his youth been an apostate from Christ to Mahomet, that he had drunk deeply of the poisonous wells of magic flowing at Toledo, and that he had received from Satan the mission of carrying the unarmed populations of Europe to the East, so that the Soldan of Babylon should find Christendom an easy prey. Remembering the Crusade of the Children, people leaped to the conclusion that it was he who had devastated so many houses with his magic arts, leading forth the tender youth to perish of starvation and exposure. Tall and pale, gifted with eloquence to win the hearts of the multitude, speaking like a native in French and German and Latin, he set forth, preaching from town to town the supineness of the rich and powerful

* Pierre de Fontaines, Conseil, ch. xxi. art. 8.—Le Grand d'Aussy, Fabliaux, II. 112–3.—The existence of the "droit de marquette" has been questioned, but without reasonable ground. The authorities may be found in the author's "Sacerdotal Celibacy," 2d Ed. p. 354.

who allowed the Holy Land to remain in the grasp of the Infidel and the good King Louis to languish in his Egyptian dungeon. God had tired of the selfishness and ambition of the nobles, and he called the poor and humble, without arms and captains, to rescue the Holy Places and the Good King. All this found ready response, but even greater applause followed his attacks upon the clergy. The Mendicant Orders were vagrants and hypocrites; the Cistercians were greedy of money and lands; the Benedictines proud and gluttonous; the canons wholly given to secular aims and the lusts of the flesh; the bishops and their officials were money-seekers, who shrank from no trickery to accomplish their aims. As for Rome, no terms of objurgation were too strong for the papal court. The people, whose hate and contempt for the clergy were unbounded, listened to this rhetoric with delight, and eagerly joined a movement which promised a reform in some unseen way. Shepherds left their sheep, husbandmen their ploughs, deaf to the commands of their lords, and followed him unarmed, taking no thought of the morrow, nor asking how they were to be fed.

There were not lacking those high in station who, carried away with the general enthusiasm, imagined that God was about to work miracles with the poor and helpless after the great ones of the earth had failed. Even Queen Blanche, eager for any means that promised to liberate her son, looked upon the movement for a while with favor, and lent it her countenance. It swelled and grew till the wandering multitudes amounted to more than a hundred thousand men, bearing fifty banners as an emblem of victory. It was impossible, of course, to confine such an uprising to the peaceful and humble. No sooner did it assume proportions promising immunity than it inevitably drew to itself all the disorderly elements inseparable from the society of the time—the "ruptarii" and "ribaldi," whom we have seen figure so largely in the Albigensian troubles. These flocked to it from all sides, bringing knife and dagger, sword and axe, and giving to the immense procession a still more menacing aspect. That outrages were committed we can well believe, for the wrongs of class against class were too flagrant to remain unavenged when opportunity offered for reprisals.

On June 11, 1251, they entered Orleans, against the commands of the bishop, but welcomed by the people, though the

richer citizens prudently locked their doors. All might have passed peaceably there as elsewhere but for a hot-headed student of the flourishing university of the city, who interrupted the preaching of the Hungarian to denounce him as a liar, and was promptly brained by a zealous follower. A tumult followed, in which the Pastoureaux made short work of the Orleans clergy, breaking into their houses, burning their books, and slaying many, or tossing them into the Loire; and, what is most significant, the people are described as looking on approvingly. The bishop, and all who could hide themselves from the fury of the mob, escaped during the night, and valiantly laid the city under interdict for the guilty complicity of the citizens.

On hearing this the Regent Blanche said, "God knows I thought they would recover the Holy Land in simplicity and holiness. But since they are deceivers, let them be excommunicated and destroyed." Accordingly they were excommunicated, but before the anathema could be published they had reached Bourges, where, in a tumult, the Hungarian was slain, and they broke up into bands. The authorities, recovering from their stupor, pursued the luckless wretches everywhere, who were slain like mad dogs. Some emissaries who penetrated to England, and succeeded in raising a revolt of some five hundred peasants, met the same fate; and it was reported that the second in command under the Hungarian was captured in a vessel on the Garonne, while endeavoring to escape, and on his person were found magic powders and strange letters in Arabic and Chaldee characters from the Soldan of Babylon promising his co-operation.

The quasi-religious nature of the uprising is shown in the functions exercised by the leaders, who acted the part of bishops, blessing the people, sprinkling holy water, and even celebrating marriages. The favor which the people everywhere showed them was attributed principally to their spoiling, beating, and slaying the clergy, thus indicating the deep-seated popular antagonism to the Church, and justifying the declaration made by prelates high in station that so great a danger had never threatened Christendom since the time of Mahomet.*

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* Matt. Paris ann. 1251 (pp. 550–2).—Guillel. Nangiac. ann. 1251.—Amalrici Augeri Vit. Pontif. ann. 1251.—Bern. Guidon. Flor. Chronic. (Bouquet, XXI. 697).

Even more remarkable, as a manifestation of popular emotion, was the first apparition of the Flagellants. Suddenly, in 1259, in Perugia, no one knew why, the population was seized with a fury of devotional penitence, without incitement by friar or priest. The contagion spread, and soon the whole of upper Italy was filled with tens of thousandsof penitents. Nobles and peasants, old and young, even to children five years of age, walked solemnly in procession, two by two, naked except a loin-cloth, weeping and praying God for mercy, and scourging themselves with leather thongs to the drawing of blood. The women decently inflicted the penance on themselves in their chambers, but the men marched through the cities by day and night, in the sharpest winter, preceded by priests with crosses and banners, to the churches, where they prostrated themselves before the altars. A contemporary tells us that the fields and mountains echoed with the voices of the sinners calling to God, while music and love-songs were heard no more. A general fever of repentance and amendment seized the people. Usurers and robbers restored their ill-gotten gain; criminals confessed their sins and renounced their vices; the prison doors were thrown open, and the captives walked forth; homicides offered themselves on their knees, with drawn swords, to the kindred of their victims, and were embraced with tears; old enmities were forgiven, and exiles were permitted to return to their homes. Everywhere was seen the operation of divine grace, and men seemed to be consumed with heavenly fire. The movement even spread to the Rhinelands and throughout Germany and Bohemia; but whatever hopes were aroused of the regeneration of man vanished with the subsidence of the excitement, which disappeared as rapidly as it came, and was even denounced as a heresy. Uberto Pallavicino took effectual means of keeping the Flagellants out of his city of Milan; for when he heard of their approach he erected three hundred gibbets by the roadside, at sight of which they abruptly retraced their steps.*

A similar extraordinary movement took place in 1309 (Chron. Corn. Zanfliet ann. 1309), and another, on a larger scale, in 1320 (Guill. Nangiac. Contin. ann. 1320.—Grandes Chroniques V. 245–6.—Amal. Auger. Vit. Pontif. ann. 1320).

* Monach. Paduan. Lib. III. ann. 1260.—Chron. F. Francisci Pipini ann. 1260.—Gesta Treviror. Archiep. c. 268.—Closener's Chronik (Chron. der deutschen Städte, VIII. 73, 104).—Lami, Antichità Toscane, p. 617.—Verri, Storia di Milano, I. 264.

It was in a population subject to such tempests of emotion, and groping thus blindly for something higher and better than the hopeless degradation around them, that the Mendicant Orders came to gather to themselves the potential religious exaltation of the time. That they should develop with unexampled rapidity was inevitable.

Everything favored them. The papal court early recognized in them an instrument more efficient than had yet been devised to bring the power of the Holy See to bear directly upon the Church and the people in every corner of Christendom; to break down the independence of the local prelates; to combat the temporal enemies of the papacy, and to lead the people into direct relations with the successor of St. Peter. Privileges and exemptions of all kinds were showered upon them, until, by a series of bulls issued, between 1240 and 1244, by Gregory IX. and Innocent IV., they were rendered completely independent of the regular ecclesiastical organization. A time-honored rule of the Church required that any excommunication or anathema could only be removed by him who had pronounced it, but this was revolutionized in their favor. Not only were the bishops required to give absolution to any Dominican or Franciscan who should apply for it, except in cases of such enormity that the Holy See alone could act, but the Mendicant priors and ministers were authorized to absolve their friars from any censures inflicted on them. These extraordinary measures removed them entirely from the regular jurisdiction of the establishment; the members of each Order became responsible only to their own superiors, and in their all-pervading activity throughout Europe they could secretly undermine the power and influence of the local hierarchy, and replace it with that of Rome, which they so directly represented. This independent position, however, had only been reached by degrees. Papal briefs of 1229 and 1234, enjoining them to show proper respect and obedience to the bishops, and empowering the bishops to condemn any friars who abuse their privileges of preaching for purposes of gain, show that complaints of their aggressions had commenced thus early, and that Rome was not yet prepared to render them independent of the hierarchy; but when the policy had once been adopted it was carried to its fullest development, and the cycle of legislation was completed by Boniface VIII., in 1295 and 1296, by a series of

bulls in which, following his predecessors, the Mendicants were formally released from all episcopal jurisdiction, and the statutes of the Orders were declared to be the only laws by which they were to be judged, all provisions of the canon law to the contrary notwithstanding. At the same time, by a new issue of the bull *Virtute conspicuos*, commonly known as the *Mare Magnum*, he codified and confirmed all the privileges conferred by his predecessors.*

The Holy See was thus provided with a militia, recruited and sustained at the expense of the faithful, panoplied in invulnerability, and devoted to its exclusive service. In order that its usefulness might suffer no limitation, in 1241 Gregory IX. granted to the friars the privilege of freely living in the lands of excommunicates, and of asking and receiving assistance and food from them. They could, therefore, penetrate everywhere, and serve as secret emissaries in the dominions of those hostile to Rome. Human ingenuity could have devised no more efficient army, for, not only were they full of zeal and inspired with profound convictions, but the reputation for superior sanctity which they everywhere ac-

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* Potthast Regest. No. 8324, 8326, 9775, 10905, 11169, 11296, 11319, 11399, 11415.—Ripoll. I. 99.—Matt. Paris ann. 1234 (pp. 274-6).—Wadding. Annal. ann. 1295, No. 18.—Mag. Bull. Roman. I. 174.—Ripoll II. 40.

The exemption of the Mendicants from all local jurisdiction save that of their own Orders was a source of almost inconceivable trouble in every portion of Christendom. When, for instance, in 1435, the legates of the Council of Basle were on their way to Brünn to settle the terms of pacification with the Hussites, they were called upon in Vienna to silence a Franciscan whose abusive sermons created disorder, and it was with much trouble that they forced him to admit that, as representing a general council, they had authority to discipline him. On their arrival at Brünn they found the public agitated over a dreadful scandal, the Dominican provincial having seduced a nun of his own order. The woman had borne a child to him, and no steps had been taken against him. The ordinary judicial machinery of the Church was utterly powerless to deal with him, and the precautions which the legates deemed it prudent to take before they ventured to commence proceedings show how arduous and dangerous they felt the task to be, though when they got to work they sentenced him to deposition and imprisonment for life on bread and water.—Ægidii Carlerii Liber de Legationibus (Monument. Concil. General. Sæc. XV. T. I. pp. 544-8, 553, 555, 557, 563-6, 572, 577, 587, 590, 595). This, however, seems to have been a mere *brutum fulmen*, as there is no allusion to any attempt to execute the sentence.

quired secured for them popular sympathy and support, and gave them an enormous advantage in any contest with local churches.*

Their efficiency, when directed against temporal opponents, was thoroughly tried in the long and mortal struggle of the papacy with Frederic II., the most powerful and dangerous enemy whom Rome has ever had. As early as the year 1229 we hear of the banishment of all the Franciscans from the kingdom of Naples, as papal emissaries seeking to withdraw from the emperor the allegiance of his subjects. In 1234 we find them raising money in England to enable the pope to carry on the struggle, and using every device of persuasion and menace with a success which realized immense sums and reduced numbers to beggary. When, in the solemnities of Easter, 1239, Gregory fulminated an excommunication against the emperor, it was to the Franciscan priors that he communicated it, with a full recital of the imperial misdeeds, and ordered them to publish it with ringing of bells on every Sunday and feast-day. It was the most effective method that could be devised to create public opinion against his adversary, and Frederic retorted with another edict of expulsion. When Frederic was deposed by the Council of Lyons, in 1244, it was the Dominicans who were selected to announce the sentence in all accessible public places, with an indulgence of forty days for all who would gather to listen to them, and plenary remission of sins to the friars who might suffer persecution in consequence. Soon afterwards we find them playing the part, which the Jesuits filled in Jacobean England, of secret emissaries engaged in hidden plots and fomenting disturbances. Frederic always declared that the conspiracy against his life in 1244 was the work of Franciscans who had been commissioned to preach a secret crusade against him in his own dominions, and who encouraged his enemies with prophecies of his speedy death. When, as the result of papal intrigues, Henry Raspe of Thuringia was elected, in 1246, as King of the Romans,

* Potthast No. 11040, 11041.—The usefulness of the Mendicants in aiding the papacy to unlimited domination is seen in the condemnation, by the University of Paris, in 1429, of the Franciscan Jean Sarrasin for publicly teaching that the whole jurisdiction of the Church is derived from the pope. He was forced to admit that it was bestowed by God on the several classes of the hierarchy, and that the authority of councils rested, not on the pope, but on the Holy Ghost and the Church (D'Argentré, Coll. Judic. de nov. Error. I. ii. 227).

to supersede Frederic, Innocent IV. sent a circular brief of instructions to the Franciscans to use every opportunity, public or secret, to advocate his cause, and to promise remission of sins to those who should aid him. Again, in 1248, we find friars of both orders sent as secret emissaries to stir up disaffection in Frederic's territories. He complained bitterly of it, as he had always cherished and protected the Mendicants, and he met the attempt with savage ferocity. The Dominican Simon de Montesarculo, who was caught, was subjected to eighteen successive tortures; and Frederic instructed his son-in-law, the Count of Caserta, that all friars showing signs of disaffection, or contravening the strict regulations which he prescribes, shall not be exiled as heretofore, but shall be promptly burned. The shrewd and experienced prince evidently recognized them as the most dangerous enemies to whom he was exposed. They continued to earn his hostility by the zeal with which they preached the crusade against him, and, after his death, against his son Conrad; and we can regard as not improbable the statement that Ezzelin da Romano, his vicar in the March of Treviso, put to death no less than sixty Franciscans during his thirty years of power.*

The Mendicants gradually superseded the bishops, when papal commands were to be communicated to the people or papal mandates enforced. Even when fugitives were to be tracked, they formed an invisible network of police, spread over Europe and available in a thousand ways. Formerly, when a complaint reached Rome of an abuse to be rectified or of a prelate whose conduct required investigation or trial, a commission would be issued to two or three neighboring bishops or abbots to make an examination and report, or to reform churches and monasteries neglectful of discipline. Gradually this changed, and the Mendicants alone were charged with these duties, which made the papal power felt so directly in every episcopal palace and every abbey in Europe. They complained repeatedly of the amount of this extra work thrown upon them, and they were promised relief, but

* Richard. de S. Germano Chron. ann. 1229, 1239.—Potthast Regesta No. 10725, 13360.—Ripoll I. 158, 172.—Hist. Diplom. Frid. II. T. VI. pp. 405, 689–701, 710–11. Waddingi Annal. ann. 1246, No. 4; ann. 1253, No. 35–6.—Martene Ampliss. Coll. II. 1192.—Barbarano de' Mironi, Hist. Eccles. di Vicenza, II. 78.

they were too useful to be dispensed with in thus subjecting the Church to the Apostolic See. How disagreeable and even dangerous these duties might be is visible in a case which shows how little the condition of the Church in the middle of the thirteenth century had changed from what we had seen it in the previous age. The great electoral archiepiscopate of Trèves, in 1259, was claimed by two rivals who litigated with each other for two years in Rome, to the great profit of the curia, till Alexander IV. set them both aside. The Dean of Metz, Henry of Fistigen, went on some pretext to Rome, where, by promising to pay the enormous debts left behind by the two litigants, he obtained the appointment from Alexander. On his return the pallium was withheld as security for the debts which he had incurred, but without waiting for it he assumed archiepiscopal functions, consecrated his suffragan Bishop of Metz, and commenced a series of military enterprises, in the course of which he devastated the Abbey of St. Matthias and nearly burned to death the unhappy monks. These misdeeds, and his neglect to pay his debts, led Urban IV., in 1261, to commission the Bishops of Worms and Spires and the Abbot of Rodenkirk to investigate the charges against him of simony, perjury, homicide, sacrilege, and other sins, but the archbishop bribed them, and they did nothing. Then, in 1262, Urban sent another commission to William and Roric, two Franciscans of the province of Treves, ordering them to investigate and report under pain of excommunication. This frightened all the Mendicants of the province. The Franciscan guardian and the Dominican prior, more worldly-wise than righteous, forbade them under pain of dungeon from exercising the functions imposed on them, and the two unlucky commissioners were glad to escape with their lives by flying from Trèves to Metz. The Franciscan provincial had the effrontery to send envoys to Rome asking that the investigation be postponed or committed to others. They were heard in full consistory, in presence of Urban himself and of Bonaventura, the general of the Order, when Urban bitterly retorted, "If I had sent bishoprics to two of your brethren they would have been accepted with avidity. You shall not refuse to do what is necessary for the honor of God and the Church." It is not worth while to pursue the intricate details of the dreary quarrel, which lasted until 1272 and presented in its successive phases every variety of fraud,

forgery, robbery, and outrage. It is sufficient to say that when William and Roric were forced to work, they seem to have performed their duty with independence and fidelity, and that the Roman curia, in the course of the proceedings, managed to extort from the unfortunate diocese the enormous sum of thirty-three thousand sterling marks—in spite of which Archbishop Henry attended the coronation of Rodolph of Hapsburg, in 1273, with a splendid retinue of eighteen hundred armed men.*

It is easy to imagine that such functions as these produced antagonism between the new orders and the old organization which they were undermining and supplanting. Yet this was, perhaps, the least of the causes of bitterness between them. A far more fruitful source of discord was the intrusion of the Mendicants in the office of preaching and hearing confessions. We have seen how jealously the former had always been reserved by the bishops and how utterly it had been neglected until the primary object of St. Dominic had been to supply the deficiency, which Honorius III. lamented as one of the pressing wants of the age. The Church was scarce better prepared to discharge the duty of the confessional, which the Lateran Council had rendered obligatory and had confined to the priesthood. Lazy and sensual priests, intent only on maintaining their revenues, neglected the souls of their flocks and permitted no intrusion which might diminish their gains. In the populous town of Montpellier there was only one church in which the sacrament of penitence could be administered, and the consuls, in 1213, petitioned Innocent III., in view of the multitude of perishing souls, to empower four or five of the other churches of the town to divide the duty. As late as 1247, Ypres, with two hundred thousand inhabitants, had but four parish churches. If the Church Militant was to perform its duty, and if it was to regain the veneration of the people, these deficiencies must be supplied.†

The first efforts of Dominic had been based on the power

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* Potthast Regesta No. 7380, 8027, 8028, 10343, 10363, 10364, 10365, 10804, 10807, 10906, 10956, 10964, 11008, 11159.—Martene Thesaur. V. 1812.—Hist. Diplom. Frid. II. T. III. p. 416.—Gest. Archiep. Trevirens. c. 190–271.

† Martene Ampliss. Collect. I. 1146–9.—Innoc. PP. III. Regest. xv. 240.—Berger, Registres d'Innocent IV. No. 2712.

granted to the legates of Languedoc to issue licenses for preaching, and these were, of course, at the time independent of episcopal permission, but in the Rule of 1228 it was especially provided that no friar should preach in a diocese without first obtaining permission of the bishop, and in no case was he to declaim against the vices of the secular priesthood. Francis professed the humblest reverence for the established clergy; he declared that if he were to meet simultaneously a priest and an angel, he would first turn to kiss the hands of the priest, saying to the angel, "Wait, for these hands handle the Word of Life and possess something more than human;" and in his Rule it was also provided that no friar should preach in any diocese against the will of the bishop. The bishops were not particularly disposed to welcome the intruders, and Honorius III. condescended to entreaty in asking them to permit the Dominicans to preach, while he also took steps to provide preachers from among the secular clergy by stimulating their study of theology. The intrusion of the Mendicants on the functions of the parish priests was gradual, and was commenced with the privilege granted them of celebrating mass everywhere on portable altars. Some resistance was made to this, but it was broken down; and when Gregory IX., in 1227, signalized his accession by empowering both Orders to preach, hear confessions, and grant absolution everywhere, the wandering friars, in spite of the prohibitions of the Rules, gradually invaded every parish and performed all the duties of the cure of souls, to the immense discomfort of the local priesthood, who had always guarded with extreme jealousy the rights which were the main source of their influence and revenue. Complaints were loud and reiterated, and were sometimes listened to, but were more frequently answered by an emphatic confirmation of the innovation.*

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* Constit. Frat. Prædic. ann. 1228, Dist. II. cap. 32, 33 (Archiv. für Litt. und Kirchengeschichte, 1886, p. 224).—Innoc. PP. III. Regest. IX. 185.—S. Francis. Orac. XXII.—Ejusd. Regul. Sec. c. 9.—Stephan. de Borbone (D'Argentré, Collect. Judic. de nov. Error. I. I. 90–1).—Beru. Guidon. (Martene Ampl. Collect. VI. 530).—Potthast Regest. No. 6508, 6542, 6654, 6660, 7325, 7467, 7468, 7480, 7890, 10316, 10332, 10386, 10629, 10630, 10657, 10990, 10999, 11006, 11299, 15355, 16926, 16933.—Martene Thesaur. I. 954.—Concil. Narbonn. ann. 1227 c. 19.—Baluz. Concil. Gall. Narbon. App. pp. 156–9.

There were not many prelates like Robert Grosseteste of Lincoln, who wrote

The matter was made worse by the fact that everywhere the laity welcomed the intruders and preferred them to their own curates. The fervor of their preaching and their reputation for superior sanctity brought crowds to the sermon and the confessional. Training and experience rendered them far more skilful directors of conscience than the indolent incumbents, and there arose a natural popular feeling that the penance which they imposed was more holy and their absolution more efficacious. If the beneficed clergy complained that this was because they soothed and indulged their penitents, they were able to retort with justice that the laymen preferred them for themselves and their wives rather than the drunken and unchaste priests who filled most of the parishes. A friar would come and set up his portable altar, as he said, for a day. His preaching was attractive; penitents aroused to a sense of their sins would hasten to confess; his stay was prolonged and he became a fixture. If the place was populous, he would be joined by others. The gifts of the charitable would flow in. A modest chapel and cloisters would be provided, which grew till it overshadowed the parish church and was filled at its expense. Worse than all, the dying sinner would assume the robe of the Mendicant on his death-bed, bequeath his body to the friars, and make them the recipient of his legacies, leading to a prolonged and embittered renewal of the old ghoul-like quarrels over corpses. In 1247, at Pamplona, some bodies long lay unburied owing to a fierce contention between the canons and the Franciscans; and a division of the spoils, by which a share varying from a half to a quarter, was allotted to the parish priests, only gave rise to new disputes. Whenever an open conflict arose, however much the pope might deprecate scandal, the decision would be almost certainly in favor of the friars, and the clergy saw with dismay and hatred that the upstarts were supplanting them in all their functions, in the veneration of the people, and in the profitable results of that veneration. When, in 1268, a popular uprising against tyranny occurred in Holland and Guelderland, and, encouraged by success, the rebels formulated a policy for the reformation of society, they proposed

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to both Jordan and Elias, the generals of the two Orders, to let him have friars, as his diocese was large and he required help in the duties of preaching and hearing confessions.—Fascic. Rer. Expetend. et Fugiend. II. 534-5. (Ed. 1690).

to slay all nobles and prelates and monks, but to spare the Mendicants and such few parish priests as might be necessary to administer the sacraments. Some feeble efforts were made by the clergy to emulate the services and activity of the new-comers, but the sloth and self-indulgence of ages could not be overcome. It was inevitable that the strongest antagonism between the old order and the new should spring up, heightened by the duty which the friars felt of denouncing publicly the vices and corruption of the clergy. Already in the previous century the secular priesthood had complained bitterly of the impulse given to monachism by the founding and development of the Cistercians. They had even dared to make vigorous representations to the third Council of Lateran, in 1179, alleging that they were threatened with pauperization. Here was a new and vastly more dangerous inroad, and it was impossible that they should submit without an effort of self-preservation. There must be a struggle for supremacy between the local churches on the one hand and the papacy with its new militia on the other, and the conservatives manifested skill in their selection of the field of battle.*

The University of Paris was the centre of scholastic theology. Cosmopolitan in its character, a long line of great teachers had lectured to immense masses of students from every land, until its reputation was European and it was looked upon as the bulwark of orthodoxy. In every episcopate it could count its graduates

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* Brev. Hist. Ord. Prædic. (Martene Ampl. Coll. VI. 357).—Extrav. Commun. Lib. III. Tit. vi. c. 8.—Concil. Nimociens. ann. 1298, c. 17.—Constit. Joann. Archiep. Nicos. ann. 1321, c. 10.—C. Avenionens. ann. 1326, c. 27; ann. 1337, c. 32.—C. Vaurens. ann. 1368, c. 63, 64.—Epistt. Sæculi XIII. T. I. No. 437 (Monument. Germ. Hist.).—Berger, Les Registres d'Innoc. IV. No. 1875–8, 3252–5, 3413.—Ripoll I. 25, 132–33, 153–4; II. 61, 173; VII. 18.—Matt. Paris ann. 1234, p. 276; ann. 1235, pp. 286–7; ann. 1255, p. 616.—Potthast Regesta No. 8786*a*, 8787–9, 10052.—Trithem. Annal. Hirsaug. ann. 1268.—Conc. Biterrens. ann. 1233, c. 9.—C. Arelatens. ann. 1234, c. 2.—C. Albiens. ann. 1254, c. 17, 18.—S. Bonaventuræ Libell. Apologet. Quæst. 1.—Abbat. Joachimi Concordiæ v. 49.

The details of the disgusting quarrels over the dying and dead are impressively set forth in a composition attempted by Boniface VIII., in 1303, between the clergy of Rome and the Mendicants (Ripoll II. 70). The constant litigation on the subject was one of the chief grievances of the spiritual section of the Franciscans (Hist. Tribulationum, *ap.* Archiv für Litteratur- u. Kirchengeschichte, 1886, p. 297).

and the holders of its degrees, who looked back upon it with filial affection as to their *alma mater*. It had welcomed Dominic's first missionaries when they came to Paris to found a house of the Order, and it had admitted Dominicans to its corps of teachers. Suddenly there arose a quarrel, the insignificance of its cause showing the tension which existed and the eagerness of all classes of the clergy to repress the growing influence of the Mendicants. The University had always been jealous of its privileges, among which not the least was the jurisdiction which it enjoyed over its students. One of these was slain and several were wounded by the Paris watch in a disturbance, and the reparation tendered for the offence was deemed insufficient. The University closed its doors, but the Dominican teachers, Bonushomo and Elias, continued their lectures. To punish this contumacy they were ordered to be silent, and students were forbidden to listen to them. They appealed to the pope, but their appeal was disregarded; and when the University resumed its functions, they were required to take an oath to observe its statutes, provided there was nothing therein to conflict with the Rule of the Order. This they refused unless they were allowed two teachers of theology, and after a delay of a fortnight they were expelled. The provincials of both Orders at Paris took up the quarrel and appealed to Rome, and Innocent IV. demanded the repeal of the obnoxious rules.*

The gage of battle was thrown and the university was resolved on no half-measures. It would reduce the Mendicants to the condition of the other religious orders and earn the gratitude of all the prelates and clergy by stripping them of the privileges which rendered them so dangerous. For this purpose it was necessary to win the favor of Rome, and the students enthusiastically assessed themselves, economizing in their expenses that they might contribute to the fund which was necessary if anything was to be done with the curia. The leader of the faculty in the quarrel was William of St. Amour, noted both as a preacher and a teacher,

* Alex. PP. Bull. *Quasi lignum vitæ*.—Waddingi Annal. ann. 1255, No. 2.—Dupin, Bib. des Auteurs Eccles. T. X. ch. vii.

For the exemption of students from secular jurisdiction see Berger, Registres d'Innocent IV. No. 1518.—Molinier (Guillem Bernard de Gaillac, Paris, 1884, pp. 26 sqq.) gives a good account of the educational organization of the Dominicans at this period.

learned, eloquent, and inflexible of purpose. He was sent to the Holy See, where he found Innocent IV. in a frame of mind adapted to listen to his arguments that the Mendicant Rules were fitted only to lead souls to perdition. The pope had been the friend of the Orders, and had confirmed and enlarged their privileges, but just now was out of humor. The Dominicans asserted that this arose from their having secretly received into the Order one of his cousins whom he loved greatly and intended to advance in the world; and also from the malevolence of another cousin, who proposed to build at Genoa a fortress-palace to dominate the city, and had been prevented by the Dominicans refusing to sell a piece of ground essential to his purpose. Innocent's mind must indeed have been receptive of William of St. Amour's arguments. In July and August, 1254, he had issued repeated briefs in favor of the Mendicants and against the University. On November 21 he promulgated the bull *Etsi Animarum*, known among the Mendicants as the "terrible" bull, by which the members of all religious orders were forbidden to receive in their churches on Sundays and feast-days the parishioners of others; they were not to hear confessions without the special license of the parish priests, they were not to preach in their own churches before mass, so that parishioners should not be drawn away from their parish churches, nor were they to preach in the parish churches, nor when bishops preached or caused preaching to be done.*

The bull was in reality a terrible one, for it shattered at a blow the edifice erected with such infinite labor and self-sacrifice. To meet it, the Dominicans not only summoned their greatest and wisest members, but appealed to Heaven. Every friar was ordered daily after matins to recite seven psalms and the litanies of the Virgin and St. Dominic. A brother, during this exercise, was encouraged with a vision of the Virgin pleading with the Son and saying "Listen to them, my Son, listen to them!" He did listen

* Waddingi Annal. ann. 1254, No. 4, 5; ann. 1255, No. 3.—Brev. Hist. Ord. Præd. (Martene Ampl. Coll. VI. 356–7).—Potthast Regesta No. 15562.—Matt. Paris. ann. 1253, p. 590.

William of St. Amour was a pluralist. Not satisfied with a canonry of Beauvais and a church with a cure of souls, we find him, in 1247, obtaining of Innocent IV. a dispensation to hold another cure.—Berger, Les Registres d'Innoc. IV. No. 3188.

to them, for though we may doubt the Dominican story that Innocent was stricken with paralysis the very day that he signed the "*crudelissimum edictum*," he certainly did die on December 7, within sixteen days after it, and a pious Roman had a vision of his soul handed over to the two wrathful saints, Dominic and Francis. Moreover the Cardinal of Albano, whose hostility to the Orders had led him to take an active part in advising Innocent to the measure, was imprudent enough to boast that he had caused the subjugation of the Mendicants to the bishops and would place them under the feet of the lowest priests. The same day a beam in his house gave way; he fell and broke his neck. It would perhaps be unjust to accuse the Dominicans of having assisted nature in these catastrophes; but, strange as it seems to hear them boast of having prayed a pope to death, they certainly do relate with pride that "Beware of the Dominican litanies, for they work miracles," became a common phrase.*

The death of Innocent saved the Mendicant Orders. That his successor was elected after an interval of only fourteen days was due to the provident care of the Prefect of Rome, who, distrusting the operation of the Holy Ghost, put the fathers of the Conclave on short rations, resulting in the election of Alexander IV. The new pope was specially favorable to the Mendicants. When John of Parma, the Franciscan general, came to him with the customary request that he would appoint a cardinal as "Protector" of the Order, he refused, saying that so long as he lived it should need no other protector than himself; and his selection of the Dominican Raymond of Pennaforte and the Franciscan Ruffino as papal chaplains showed how willingly he subjected himself to their influence. On December 31, ten days after his elevation, he addressed letters to both Orders asking their suffrages and intercession with God, and the same day he issued an encyclical, revoking the terrible bull of Innocent and pronouncing it void.†

Before such a judge the case of the University was evidently lost. On April 14, 1255, appeared the bull *Quasi lignum vitæ*, deciding the quarrel in favor of the Dominicans. Yet William of

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* Waddingi Annal. ann. 1254, No. 3; ann. 1255, No. 5.—Brevis Historia (Martene VI. 357).—Martene Thesaur. I. 1059.

† Waddingi Annal. ann. 1254, No. 20; ann. 1255, No. 1.—Ripoll I. 266–7.

St. Amour returned to Paris resolved to carry on the war. In the pulpit he and his friends thundered forth against the Mendicants. They were not specifically named, but there was no mistaking the ingenious application to them of the signs foretold by the prophets of those who should usher in the days of Antichrist, nor the description of the Pharisees and Publicans made to fit them. New and unimagined perils threatened the Church in the last times. The devil has found that he gained nothing in sending heretics who were easily confuted, so now he has sent the Pale Horse of the Apocalypse—the hypocrites and false brethren who, under an external guise of sanctity, convulse the Church. The persecution of the hypocrites will be more disastrous than all previous persecutions. Another weapon which lay to his hand was eagerly grasped. In 1254 there appeared a work under the name of "Introduction to the Everlasting Gospel," of which the authorship was ascribed to John of Parma, the Franciscan general. We shall have occasion to recur to this, and need only say here that a section of the Franciscans were strongly inclined to the mysticism which now began to show itself, and that the writings of Abbot Joachim of Fiore, now revived and hardily developed, predicted the downfall, in 1260, of the existing order of things in Church and State, the substitution of a new evangel for that of Christ, and the replacement of the hierarchy by mendicant monachism. The "Introduction to the Everlasting Gospel" attracted universal attention and offered too tempting an opening for attack to be neglected.

The University sullenly held out, while Alexander fulminated bull after bull against the recalcitrants, threatening them with varied penalties, and finally calling in the assistance of the secular arm by an appeal to St. Louis. The clergy of Paris, delighted with the opportunity afforded by the temporary unpopularity of the Mendicants, reviled them from the pulpit, and even attacked them personally with blows and threats of worse treatment, till they scarce ventured to appear in the streets and beg their daily bread. The controversy raged wilder as the indomitable St. Amour, undeterred by Alexander's request to the king to throw him into jail, issued a tract entitled "*De Periculis novissimorum Temporum*," in which he boldly set forth all the arguments of his discourses against the Mendicants. He proved that the pope had no right to contravene the commands of the prophets and apostles, and that

they were convicted of error when they upturned the established order of the Church in permitting these wandering hypocrites and false prophets to preach and hear confessions. Those who live by beggary are flatterers and liars and detractors and thieves and avoiders of justice. Whoever asserts that Christ was a beggar denies that he was the Messiah, and thus is a heresiarch who destroys the foundation of all Christian faith. An able-bodied man commits sacrilege if he receives the alms of the poor for his own use, and if the Church has permitted this for the monks it has been in error and should be corrected. It rests with the bishops to purge their dioceses of these hypocrites; they have the power, and if they neglect their duty the blood of those who perish will be upon their heads. This was answered by Aquinas and Bonaventura. The former, in his tract "*Contra Impugnantes Religionem*," proved in the most finished style of scholastic logic that the friars have a right to teach, to preach and hear confessions, and to live without labor; in the same mode he rebutted the charges as to their morals and influence, showing that they were not precursors of Antichrist. He also demonstrated the more suggestive theorems that they had a right to resist their defamers, to use the courts in their defence, to secure their safety if necessary by resort to arms, and to punish their persecutors. That his dialectics were equal to bringing out any desired conclusion when once his premises were granted is well known, and they did not fail him on this occasion. Bonaventura also replied in several treatises—"*De Paupertate Christi*," in which he earnestly pleaded the example of Christ as an argument for poverty and mendicancy; the "*Libellus Apologeticus*" and the "*Tractatus quia Fratres Minores predicent*," in which he carried the war into the enemy's territory with a vigorous and plain-spoken onslaught on the shortcomings and defects and sins and corruption and vileness of the clergy. Heretics might well feel justified in seeing the two parties into which the Church was divided thus expose each other; and the faithful might well doubt whether salvation was assured with either.

Yet this wordy war was mere surplusage. On the appearance of St. Amour's book, St. Louis had hastened to send copies to Alexander for judgment. The University likewise sent St. Amour at the head of a delegation to demand the condemnation of the Everlasting Gospel. Albertus Magnus and Bonaventura came

to defend their Orders, and a hot disputation was held before the consistory. The Everlasting Gospel and its Introduction were condemned with decent reserve by a special commission assembled at Anagni, in July, 1255, but St. Amour's book was declared by the bull *Romanus Pontifex*, October 5, 1256, to be lying, scandalous, deceptive, wicked, and execrable. It was ordered to be burned before the curia and the University; every copy was to be surrendered within eight days to be burned, and any one presuming to defend it was pronounced a rebel. The envoys of St. Louis and the University were obliged to subscribe to a declaration assenting to this and to the right of the Mendicants to preach and hear confessions and to live on alms without labor, William of St. Amour alone resolutely refusing. Alexander moreover ordered all teachers and preachers to abstain from reviling the Mendicants and to retract the abuse they had uttered under pain of loss of preferment —a command which was but slackly obeyed.*

The victory was won for the Mendicants. The University submitted ungraciously to the irresistible power of the papacy, and the unconquerable William of St. Amour alone held out. He would make no acknowledgments, no concessions. He had sworn to abide by the mandates of the Church, but he refused to recant like his comrades. When about to return, in August, 1257, Alexander forbade him to go to France and perpetually interdicted him from teaching, and so great was the dread which he inspired that the pope wrote to St. Louis asking him to prevent the inflexible theologian from entering his kingdom. Yet from abroad he maintained an active correspondence with his old colleagues, and the University continued in a state of disquiet. It was in vain that Alexander prohibited all intercourse with him. Though the Mendicants were allowed to teach, they were ridiculed in indecent rhymes and lampoons, which were eagerly circulated; and, on Palm Sunday of 1259 the beadle of the University, Guillot of Picardy, interrupted the preaching of Thomas Aquinas by publishing

* Ripoll I. 289, 291, 296, 298, 301, 306, 308, 311, 312, 320, 322, 324, 333, 334, 336, 342, 345, 350.—Matt. Paris ann. 1255, pp. 611, 616.—Wadding. Annal. ann. 1255, No. 4; ann. 1256, No. 20–37.—Fasciculus Rer. Expetend. II. 18 sqq. Ed. 1690.—Mag. Bull. Roman. I. 112.—D'Argentré Collect. Judicior. de nov. Error. I. 1. 170 sqq.—Guill. Nangiac. Gesta S. Ludov. ann. 1255.—Grandes Chroniques, IV. 373-4.—Bern. Guidon. Flor. Chron. (Bouquet, XXI. 698).

a scandalous and libellous book against the Mendicants. Yet this gradually died out, and the final act of the quarrel is seen in an epistle of Alexander's, December 3, 1260, authorizing the Bishop of Paris to absolve those who had incurred excommunication by keeping copies of St. Amour's book, on their surrendering them to be burned, the number of these "rebels" apparently being quite large. Still St. Amour remained steadfast in exile. He was allowed to return to Paris by Clement IV. who ascended the papal throne in 1264, and in 1266 he sent to the pontiff another book on the same theme. Clement had hastened, in 1265, to proclaim his good-will to the Mendicant Orders by a bull in which he confirmed in the amplest manner their independence of the bishops, and, as was inevitable, he rejected St. Amour's new book as filled with the old virus. William died in 1272, obstinate and unrepentant, and was honorably buried in his native village of St. Amour, though he is reputed as a heretic by all good Dominicans and Franciscans.*

The embers of the controversy had been rekindled in 1269 by an anonymous Franciscan who assailed St. Amour's book. Gerald of Abbeville, who is ranked with Aquinas, Bonaventura, and Robert of Sorbonne, as one of the four chief theologians of the age, replied with an attack on the doctrine of poverty and a defence of the ownership of property. Bonaventura rejoined with his "*Apologia Pauperum*," an eloquent defence of poverty, and the Franciscan annalists relate with natural glee how Gerard was so overcome by his adversary's logic that, under the vengeance of God, he lost the

* Ripoll I. 346, 348, 349, 352–3, 372, 373–9.—Waddingi Annal. ann. 1256, No. 38; ann. 1257, No. 1–4, 6; ann. 1259, No. 3–6; ann. 1260, No. 10.—Clement. PP. IV. Bull. *Virtute conspicuus*, ann. 1265.—Dupin, Bib. des Auteurs Eccles. T. X. ch. vii.

When, in 1632, an edition of St. Amour's works was published in Constance (Paris) the Dominicans had sufficient influence with Louis XIII. to obtain its suppression in a savage edict. All the copies were seized: to retain one was punishable with a fine of three thousand livres, and it was declared a capital offence for a bookseller to have a single copy for sale (Mosheim de Beghardis, p. 27). The "Pericula Novissimorum Temporum" had, however, been printed, with two of St. Amour's sermons, by Wolfgang of Weissenburg in his "Antilogia Papæ," Basle, 1555, and this was reprinted in London in 1688, and embodied by Brown in his edition of the "Fasciculus Rerum Expetendarum et Fugiendarum" in 1690.

faculty of reasoning, sank into paralysis, and ended with a horrible death by leprosy.*

Though an occasional outbreak like this might occur, the victory was won. The aggressions of the Mendicants had raised a deep and widespread hostility against them in all ranks of the clergy, who recognized not only that their privileges and wealth were impaired, that the reverence of the people was intercepted, but, what was even more important, that this new papal militia was subjecting them to Rome with a force that would deprive them of what little independence had been left by former encroachments. When, therefore, the upstarts had dared a combat with the honored and powerful University of Paris—the shining sun, to use the words of Alexander IV., which pours the light of pure doctrine through the whole world, the body from which, as from the bosom of a parent, are born the noble race of doctors who enlighten Christendom and uphold the Catholic faith—it might well be thought that the rash interlopers had provoked their fate. Everything had been tried—learning and wit, reverence for established institutions, popular favor, the long-enjoyed right of the governing faculty to regulate its internal affairs—yet everything had failed against the steadfastness of the Mendicants supported by the unwavering favor of Alexander. When the University of Paris had been worsted in the struggle, though aided with the sympathy of all the prelates of Christendom, there was little hope in further opposition to those whom the pope, in forbidding the prelates to side with the University, described as "Golden vials filled with sweet odors." †

Yet spasmodic resistance, however hopeless, still continued. A bull of Clement IV., in 1268, forbidding the archbishops and bishops from even interpreting the privileges conferred on the Mendicants, shows that the hostility was as bitter as ever. The clergy would also still occasionally endeavor to prevent the establishment of new Mendicant houses, or seek to drive them away by ill-treatment, with the inevitable result of calling forth the papal vengeance. They had a gleam of hope when the wise and learned John XXI. ascended the papal throne, but his antagonism to the Mendicants,

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* Bonavent. Apol. Pauperum Resp. I. c. 1.—Waddingi Annal. ann. 1269, No. 6-8.

† Ripoll I. 338.

like that of Innocent IV., was not conducive to longevity. The roof of his palace fell in upon him after a pontificate of but eight months, and the pious chroniclers of the Orders handed down his memory as that of a heretic and magician. About 1284 the interpretation put on some fresh concessions by Martin IV. aroused the antagonism anew. The whole Gallican Church uprose. In 1287 the Archbishop of Reims called a provincial council to consider the subject. He pathetically described his futile efforts to reach a peaceful solution, the unbearable encroachments of the friars, the intolerable injuries inflicted on both clergy and laity, and the necessity of an appeal to Rome. The expenses of such an appeal were known to be heavy, and all the bishops agreed to contribute five per cent. of their revenues, while a levy of one per cent. was made on all abbots, priors, deans, chapters, and parochial churches of the province. The pious Franciscan Salimbene informs us that a hundred thousand livres tournois were raised and Honorius IV. was won over. On Good Friday of 1287 he was to issue a bull depriving the Mendicants of the right to preach and hear confessions. They were in despair, but this time it was the prayers of the Franciscans which prevailed, as those of the Dominicans had done in the case of Innocent IV. The hand of God fell upon Honorius in the night of Wednesday, he died on Thursday, and the Orders were saved. Yet the struggle continued till the bull of Martin IV. was withdrawn in 1298 by Boniface VIII., who in vain attempted to put an end to the quarrel which distracted the Church. Benedict XI. was no more successful, and complained that the trouble was a hydra, putting forth seven heads for every one which was cut off. In 1323 John XXII. pronounced heretical the doctrine of Jean de Poilly, who held that confession to the friars was void and that every one must confess to his parish priest. In 1351 the clergy again took heart for another attack. Possibly the devotion shown by the Mendicants during the Black Death, when twenty-five million human beings were swept away, when the priests abandoned their posts, and the friars alone were found to tend the sick and console the dying, may have led to fresh progress by them and have enkindled antagonism anew. Be this as it may, a vast deputation, embracing cardinals, bishops, and minor clergy, waited on Clement VI. and petitioned for the abolition of the Orders, or at least the prohibition of their preaching and hearing

confessions, and enjoying the burial profits, by which they were enormously enriched at the expense of the parish priests. The Mendicants deigned no reply, but Clement spoke for them, denying the allegation of the petition that they were useless to the Church, and asserting that, on the contrary, they were most valuable. "And if," he continued, "their preaching be stopped, about what can you preach to the people? If on humility, you yourselves are the proudest of the world, arrogant and given to pomp. If on poverty, you are the most grasping and most covetous, so that all the benefices in the world will not satisfy you. If on chastity—but we will be silent on this, for God knoweth what each man does and how many of you satisfy your lusts. You hate the Mendicants and shut your doors on them lest they should see your mode of life, while you waste your temporal wealth on pimps and swindlers. You should not complain if the Mendicants receive some temporal possessions from the dying to whom they minister when you have fled, nor that they spend it in buildings where everything is ordered for the honor of God and the Church, in place of wasting it in pleasure and licentiousness. And because you do not likewise, you accuse the Mendicants, for most of you give yourselves up to vain and worldly lives." Under this fierce rebuke, even though uttered by a pope whom St. Birgitta denounced as himself a follower of the lusts of the flesh, there was evidently nothing practicable but submission. Yet the prelates were not silenced, for a few years later Richard, Archbishop of Armagh, preached in London some sermons against the Mendicants, for which they accused him of heresy before Innocent VI. In 1357 he defended himself in a discourse wherein he handled them unsparingly, but his case dragged on, and he died in Avignon, in 1360, before it reached an end. This was not reassuring for the secular clergy, but still the quarrel went on. Thus in 1373 the Franciscan Guardian of Syracuse applied to Gregory XI. for an authentic copy of the bull of John XXII. against the errors of Jean de Poilly, showing that in Sicily the secular clergy were contesting the right of the Mendicants to hear confessions. In 1386 the Council of Salzburg forcibly described the scandals wrought by the intrusion in all parishes, uninvited and irrepressible, of those licentious wandering friars, who kindled discord and set an example of evil, and it proceeded to decree that in future they should not be allowed

to preach and hear confessions without the license of the bishop and the invitation of the pastor. In 1393 Conrad II., Archbishop of Mainz, varied his persecution of the Waldenses by an edict in which he described the Mendicants as wolves in sheep's clothing, and prohibited them from hearing confessions. On the other hand, Maître Jean de Gorelle, a Franciscan, in 1408, publicly argued that curates were not competent to preach and hear confessions, which was the business of the friars—a proposition which the University of Paris promptly compelled him to retract.*

The quarrel seemed endless. In 1409 the Mendicants complained that the clergy stigmatized them as robbers and wolves, and insisted that all sins confessed to them must be confessed again to the parish curates, thus reviving the error of Jean de Poilly condemned by John XXII. Alexander V., himself a Franciscan, responded to their request by issuing the bull *Regnans in excelsis*, which threatened with the pains of heresy all who should uphold such doctrines, or that the consent of the priest was requisite before the parishioner could confess to the friars. During the great schism the papacy was no longer an object of terror. The University of Paris boldly took up the quarrel, and under the leadership of John Gerson refused to receive this bull, compelling the Dominicans and Carmelites publicly to renounce it, and expelling

* Clement PP. IV. Bull. *Providentiæ*, ann. 1268.—Ripoll I. 341, 344.—Ptol. Lucens. Hist. Eccles. Lib. XXIII. c. 21, 24–5.— Henr. Steronis Annal. ann. 1287, 1299.—Annal. Dominican. Colmariens. ann. 1277.—Waddingi Annal. ann. 1291, No. 97; ann. 1303, No. 32.—Concil. Valentin. ann. 1255.—Concil. Ravennat. ann. 1259.—Martene Ampliss. Collect. II. 1291.—Concil. Remens. ann. 1287.—Salimbene Chronica, pp. 371, 378–9.—Guillel. Nangiac. ann. 1298; Ejusd. Continuat. ann. 1351.—Revelat. S. Brigittæ Lib. VI. c. 63; cf. Lib. I. c. 41.—c. 2 Extravagant. Commun. III. vi.—c. 1. Ejusd. v. 7.—Ripoll II. 92–3.—P. de Herentbals Vit. Joann. XXII. ann. 1233.—Martene Thesaur. I. 1368.—c. 2 Extravagant. Commun. v. iii.—Alph. de Spina Fortalicium Fidei, fol. 61*a* (Ed. 1494).—Hecker, Epidemics of the Middle Ages, p. 30 (Babington's Transl.).—Fascic. Rer. Expetend. et Fugiend. II. 466 (Ed. 1690).—Theiner Monument. Hibern. et Scotor. No. 634, p. 318.—Cosentino, Archivio Storico Siciliano, 1886, p. 336.—Concil. Salisburgens. ann. 1386, c. 8.—Gudeni Cod. Diplom. III. 603.—D'Argentré, Collect. Judic. de Novis Error, I. II. 178.

During the Black Death, of one hundred and forty Dominicans at Montpellier, but seven survived; in Marseilles, of a hundred and sixty, not one. The mortality in the Franciscan Order was reckoned at one hundred and twenty-four thousand four hundred and thirty-four members, which is a manifest exaggeration.—Hoffmau, Geschichte der Inquisition, II. 374–5.

the Franciscans and Augustinians, who refused to do likewise. Gerson did not hesitate to preach publicly against it in a sermon, in which he enumerated the four persecutions of the Church in the order of their severity—tyrants, heretics, the Mendicants, and Antichrist. This unflattering collocation was not likely to promote harmony, but the matter seems to have slept for a while in the greater questions raised by the councils of Constance and Basle, though the latter assembly took occasion to decide against the Mendicants on the points at issue, as well as to condemn the widespread popular belief that any one dying in a Franciscan habit would not spend more than a year at most in purgatory, since St. Francis made an annual visit there and carried off all his followers to heaven. When the papacy regained its strength it renewed the struggle for its favorites. In 1446 Eugenius IV. put forth a new bull, *Gregis nobis crediti*, condemning the doctrines of Jean de Poilly, which attracted little attention, and was followed in 1453 by Nicholas V. with another, *Provisionis nostræ*, of similar import. This was brought in 1456 to the notice of the University, which denounced it as surreptitious, destructive to peace, and subversive of hierarchial subordination. Calixtus III. continued the struggle, and, finding the University unyielding, appealed to Louis XI. for secular interposition, but in vain; the University refused to admit into its body any friars who would not pledge themselves not to make use of these bulls. It is true that in 1458 a priest of Valladolid who denied the authority of the Mendicants to supersede the parish priests was forced to recant publicly in his own church; but the trouble continued, leading in Germany to such scandals that the archbishops of Mainz and Treves, with other bishops, and the Duke of Bavaria, were obliged to appeal to the Holy See. A commission of two cardinals and two bishops was appointed to determine upon a compromise, which was accepted by both parties and approved by Sixtus IV. about 1480. The priests were not to teach that the Orders were fruitful of heresies, the friars were not to teach that parishioners need not hear mass on Sundays and feast days in their parish churches, or confess to their curates at Easter, though they were not to be deprived of hearing confessions and granting absolutions. Neither priests nor friars were to endeavor to get the laity to choose sepulture with either; and neither party was to assail or detract from the other in their sermons. The in-

sertion of this compromise in the canon law shows the importance attached to it, and that it was regarded as a lasting settlement, applicable throughout Latin Christendom. Its effect is seen in the inclusion, among the heresies of Jean Lallier condemned in Paris in 1484, of those which revived the doctrine of Jean de Poilly and declared that John XXII. had no power to pronounce it heretical. Yet, at the Lateran Council, in 1515, a determined effort was made by the bishops to obtain the revocation of the special privileges of the Mendicants. By refusing to vote for any measures they obtained a promise of this, but skilful delay enabled Leo X. to elude performance till the following year, when a compromise was effected, which merely shows by what it forbade to the Mendicants how contemptuous had been their defiance of episcopal authority. They lost little by this, for in 1519 Erasmus complains in a letter to Albert, Cardinal Archbishop of Mainz, "The world is overburdened with the tyranny of the Mendicants, who, though they are the satellites of the Roman See, are yet so numerous and powerful that they are formidable to the pope himself and even to kings. To them, when the pope aids them, he is more than God, when he displeases them he is worthless as a dream." *

It must be confessed that both Dominicans and Franciscans had greatly fallen away from the virtues of their founders. Scarce had the Orders commenced to spread when false brethren were found who, contrary to their vow of poverty, made use of their faculty of preaching for purposes of filthy gain; and as early as 1233 we find Gregory IX. sharply reminding the Dominican chapter-general that the poverty professed by the Order should be genuine and not fictitious. The wide employment of the friars by the popes as political emissaries necessarily diverted them from their spiritual functions, attracted ambitious and restless men into their ranks, and gave the institutions a worldly character thor-

* D'Argentré, Collect. Judic. de nov. Error. I. II. 180-4, 242, 251, 340, 347, 352, 354, 356.—Religieux de S. Denis, Hist. de Charles VI., Liv. XXIX. ch. 10.—Gersoni Sermo contra Bullam Mendicantium.—Alph. de Spina Fortalicium Fidei. fol. 61 (Ed. 1494).—C. 2 Extravagant. I. 9.—Ripoll III. 206, 256, 268.—Wadding. ann. 1457, No. 61.—H. Cornel. Agrippæ Epistt. II. 49.—Raynald. Annal. ann. 1515, No. 1.—Concil. Lateran. Sess. XI. (Harduin. IX. 1832).—Erasmi Epist. 10 Lib. XII. (Ed. 1642, pp. 585-6).

oughly in opposition to their original design. Their members, moreover, were peculiarly subject to temptation. Wanderers by profession, they were relieved from supervision, and were subject only to the jurisdiction of their own superiors and to the laws of their own Orders, thus intensifying and rendering peculiarly dangerous the immunity common to all ecclesiastics.*

The "Seraphic Religion" of the Franciscans, as it was based on a lofty ideal, was especially subject to the reaction of human imperfection. This was manifest even in the lifetime of St. Francis, who resigned the generalate on account of the abuses which were creeping in, and offered to resume it if the brethren would walk according to his will. It was inevitable that trouble should come between those who conscientiously adhered to the Rule in all its strictness and the worldlings who saw in the Order the instrument of their ambition; and it did not need the prophetic spirit to lead Francis to predict on his death-bed future scandals and divisions and the persecution of those who would not consent to error—a forecast which we will see abundantly verified, as well as that in which he foretold that the Order would become so defamed that it would be ashamed to be seen in public. His successor in the mastership, Elias, gave the Order a powerful impetus on its downward path. Reckoned the shrewdest and most skilful political manager in Italy, he greatly increased its influence and public activity, till his relaxation of the strictness of the Rule gave such offence to the more rigid brethren that, after a hard struggle, they compelled Gregory IX. to remove him, whereupon he went over to the party of Frederic II., and was duly excommunicated. As the Order spread it was not in human nature to reject the wealth which came pouring in upon it from all sides, and ingenious dialectics were resorted to to reconcile its ample possessions with the absolute rejection of property prescribed by the Rule. The humble hovels which Francis had enjoined became stately palaces which arose in every city, rivalling or putting to shame the loftiest cathedrals and most sumptuous abbeys. In 1257 St. Bonaventura, who had just succeeded John of Parma as General of the Order, varied his controversy with William of St. Amour by an encyclical to his provincials in which he bewailed the contempt

* Potthast Regest. No. 8326, 9172, 11299.—Martene Thesaur. V. 1816, 1820.

and dislike felt universally for the Order, caused by its greedy seeking after money; the idleness of so many of its members, leading them into all manner of vices; the excesses of the vagabond friars, who oppress those who receive them and leave behind them the memory of scandals rather than examples of virtue; the importunate beggary which renders the friar more terrible than a robber to the wayfarer; the construction of magnificent palaces, which oppress friends and give occasion to attacks from enemies; the intrusting of preaching and confession to those wholly unfit; the greedy grasping after legacies and burial fees, to the great disturbance of the clergy, and in general the extravagance which would inevitably cause the chilling of charity. Evidently the assaults of St. Amour and the complaints of the clergy were not without foundation; but this vigorous rebuke was ineffective, and ten years later Bonaventura was obliged to repeat it in even stronger terms. This time he expressed his special horror at the shameless audacity of those brethren who, in their sermons to the laity, attacked the vices of the clergy, and gave rise to scandals, quarrels, and hatreds; and he wound up by declaring, "It is a foul and profane lie to assert one's self the voluntary professor of absolute poverty and then refuse to submit to the lack of anything; to beg abroad like a pauper and to roll in wealth at home." Bonaventura's declamations were in vain, and the struggle in the Order continued, until it ejected its stricter members as heretics, as we shall see when we come to consider the Spiritual Franciscans and the Fraticelli. In the succeeding century both Orders gave free rein to their worldly propensities. St. Birgitta, in her Revelations, which were sanctioned by the Church as inspired, declares that "although founded upon vows of poverty they have amassed riches, place their whole aim in increasing their wealth, dress as richly as bishops, and many of them are more extravagant in their jewelry and ornaments than laymen who are reputed wealthy."*

Such was the development of the Mendicant Orders and their

* S. Francis. Collat. Monast. Collat. XXI., XXV.—Ejusd. Prophet. XIV., XV.—Ejusd. Epist. 6, 7.—Pet. Rodulphii Hist. Seraph. Relig. Lib. I. fol. 177-8.—Th. de Eccleston de Adv. Minorum Collat. XII.—Waddingi Annal. ann. 1253, No. 30.—S. Bonavent. Opp. Ed. 1584, T. I. pp. 485-6.—Matt. Paris. ann. 1243 (p. 414).—S. Brigittæ Revelat. Lib. IV. c. 33.

complicated relations with the Church. Yet their activity was too great to be confined to the defence of the Holy See and to the religious revival by which they, for a time, reacquired for Rome the veneration of the people. One of the collateral objects to which they devoted a portion of their energies was missionary work, and in this they set a worthy example to their successors, the Jesuits of the sixteenth and seventeenth centuries. Among the incessant labors of St. Francis his efforts to convert the infidel were conspicuous. He proposed to visit Morocco, in the hope of converting King Miramolin, and had reached Spain on his voyage thither, when compelled by sickness to return. In the thirteenth year of his conversion he travelled to Syria for the purpose of bringing over the Soldan of Babylon to the Christian faith, although war was then raging with the Saracens. Captured between the hostile lines, he was carried with his companion in chains to the soldan, when he offered to undergo the ordeal of fire to prove the truth of his faith; he was offered magnificent presents, but spurned them, and was allowed to depart. His followers were true to his example. No distance and no danger deterred them from the task of winning souls to Christianity, and in these arduous labors there was a noble emulation between them and the Dominicans, for Dominic had likewise proposed an extended scheme of missions in which to close his life's work. As early as 1225 we find missionaries of both orders laboring in Morocco. In 1233 Franciscans were despatched to convert Miramolin, the Sultan of Damascus, the caliph, and Asia in general. In 1237 the Eastern Jacobites were brought back to Catholic unity by the zeal of Dominicans, and they were at work among Nestorians, Georgians, Greeks, and other Eastern schismatics. Indulgences, the same as for a crusade, were offered to all who engaged in these enterprises, which were perilous enough, for soon after we hear of ninety Dominicans suffering martyrdom among the Cumans in eastern Hungary, when the hordes of Genghis Khan swept over the land. After the retirement of the Tartars they returned and converted the Cumans by wholesale, besides laboring among the Cathari of Bosnia and Dalmatia, where several of them were slain and two of their convents were burned by the heretics. The extent of the Franciscan missions may be judged by a bull of Alexander IV., in 1258, addressed to all the brethren in the lands of the Saracens,

Pagans, Greeks, Bulgarians, Cumans, Ethiopians, Syrians, Iberians, Alans, Cathari, Goths, Zichori, Russians, Jacobites, Nubians, Nestorians, Georgians, Armenians, Indians, Muscovites, Tartars, Hungarians, and the missionaries to the Christian captives among the Turks; and however hazy may be the geography of this enumeration, the extent of the ground sought to be covered shows the activity and self-sacrificing energy of the good brethren. Among the Tartars their success was for a while encouraging. The great khan himself was baptized, and the converts were so numerous that a bishop became necessary for their organization; but the khan apostatized and the missionaries paid with their lives the forfeit of their zeal, nor were they by any means the only martyrs who suffered in the cause. The efficacy of their Armenian mission may be seen in the renunciation of King Haito of Armenia, who entered the Order and assumed the name of Friar John, though the vicissitudes of his subsequent career were not encouraging to future imitators. He was not, however, the only royal Franciscan, for St. Louis of Toulouse, son of Charles the Lame of Naples and Provence, resisted his father's offer of a crown to become a Franciscan. Less authentic, perhaps, are the Dominican accounts of eight missionaries of their Order who, in 1316, penetrated to the empire of Prester John in Abyssinia, where they founded so durable a Church that in half a century they had the Inquisition organized there, with Friar Philip, son of one of Prester John's subject kings, as inquisitor-general. His zeal led him to attack with both spiritual and fleshly weapons another king who indulged in bigamy, and by whom he was treacherously seized and put to death, November 4, 1366, his martyrdom and sanctity being attested by numerous miracles. Be this as it may, the Franciscans record with pardonable pride that members of their Order accompanied Columbus on his second voyage to America, eager to commence the conversion of the New World.*

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* Bonavent. Vit. S. Francis. c. 9.—Lacordaire, Vie de S. Dominique, pp. 182–3.—Potthast Regest. No. 7429, 7490, 7537, 7550, 9130, 9139, 9141, 10350, 10383, 10421, 11297.—Raynald. ann. 1233, No. 22, 23; ann. 1237, No. 88.—Hist. Ordin. Prædicat. c. 8 (Martene Ampliss. Coll. VI. 338).—Chron. Magist. Ordin. Prædicat. c. 3 (Ibid. 350–1).—Wadding Annal. ann. 1258, No. 1; ann. 1278, No. 10, 11, 12; ann. 1284, No. 2; ann. 1288, No. 3, 36; ann. 1289, No. 1; ann. 1294, No. 10–12; ann.

The special field of activity of the Mendicants, however, which more particularly concerns us, was that of the conversion and persecution of heretics — of the Inquisition, which they made their own. It was inevitable that this should fall into their hands as soon as the inadequacy of the ancient episcopal courts required the organization of a new system. The discovery and conviction of the heretic was no easy task. It required special training, and that training was exactly what the Orders sought to give their neophytes to fit them for the work of preaching and conversion. With no ties of locality, soldiers of the Cross ready to march to any point at the word of command, they could be despatched at a moment's notice whenever their services were required. Moreover, their peculiar devotion to the Holy See rendered them specially useful in organizing the papal Inquisition which was to supersede by degrees the episcopal jurisdiction, and prove so efficient an instrument in reducing the local churches to subjection.

That Dominic was the founder of the Inquisition and the first inquisitor-general has become a part of Roman tradition. It is affirmed by all the historians of the Order, and by all the panegyrists of the Inquisition; it has the sanction of infallibility in the bull *Invictarum* of Sixtus V., and it is confirmed by quoting a bull of Innocent III. appointing him inquisitor-general. Yet it is safe to say that no tradition of the Church rests on a slenderer basis. That Dominic devoted the best years of his life to combating heresy there is no doubt, and as little that, when a heretic was deaf to argument or persuasion, he would cheerfully stand by the pyre and see him burned, like any other zealous missionary of the time; but in this he was no more prominent than hundreds of others, and of organized work in this direction he was utterly guiltless. Indeed, from the year 1215, when he laid the foundation of his Order, he was engrossed in it to the exclusion of all other objects, and was obliged to forego his cherished design of ending his days as a missionary to Persia. We shall see that it

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1492, No. 2; ann. 1493, No. 2-8.—Rodulphii Hist. Seraph. Relig. Lib. I. fol. 120.—Paramo de Orig. Offic. S. Inquisit. p. 238.

In 1246 Innocent IV. received a very civil letter from Melik el-Mansur Nassir, the ruler of Edessa, expressing his regret that mutual ignorance of each others' language prevented his engaging in theological disputation with the Dominicans sent for his conversion.—Berger, Registres d'Innoc. IV. No. 3031.

was not until more than ten years after his death, in 1221, that such an institution as the papal Inquisition can be said to have existed. The prominent part assigned in it to his successors easily explains the legend which has grown around his name, a legend which may safely be classed with the enthusiastic declaration of an historian of the Order that more than a hundred thousand heretics had been converted by his teaching, his merits, and his miracles.*

A similar legendary halo exaggerates the exclusive glory, claimed by the Order, of organizing and perfecting the Inquisition. The bulls of Gregory IX. alleged in support of the assertion are simply special orders to individual Dominican provincials to depute brethren fitted for the purpose to the duty of preaching against heresy and examining heretics, and prosecuting their defenders. Sometimes Dominicans are sent to special districts to proceed against heretics, with an apology to the bishops and an explanation that the friars are skilful in convincing heretics, and that the other episcopal duties are too engrossing to enable the prelates to give proper attention to this. The fact simply is that there was no formal confiding of the Inquisition to the Dominicans any more than there was any formal founding of the Inquisition itself. As the institution gradually assumed shape and organization in the effort to find some effectual means to ferret out concealed heretics, the Dominicans were the readiest instrument

* Campana, Vita di San Piero Martire, p. 257.—Juan de Mata, Santoral de San Domingo y San Francisco, fol. 13.—Zurita, Anales de Aragon, Lib. II. c. 63. —Ricchinii Proœm. ad. Monetam, Dissert. I. p. xxxi. — Paramo de Orig. Off. S. Inquis. Lib. II. Tit. ii. c. 1. — Peguæ Comment. in Eymeric. p. 461. — Chron. Magist. Ord. Prædic. c. 2 (Martene Ampl. Coll. VI. 348). — Monteiro, Historia da Santo Inquisicao P. I. Liv. I. c. xxv., xlviii.

It is an interesting illustration of the softened temper of the nineteenth century to see, in 1842, the learned and zealous Dominican, Lacordaire, writing his "Vie de S. Dominique" to prove the impossibility of Dominic's participation in the cruelty of the Inquisition exactly one hundred years after an equally learned and zealous Dominican, Ricchini, had claimed the Inquisition as the glorious work of the saint. Yet since the time of Lacordaire there has been a reaction, and M. l'Abbé Douais does not hesitate to state, on the authority of Sixtus V., that "Saint Dominique aurait ainsi reçu une delegation pontificale pour l'Inquisition apres l'annee 1209" (Sources de l'Histoire de l'Inquisition, Revue des Questions Historiques, 1 Oct. 1881, p. 400).

at hand, especially as they professed the function of preaching and converting as their primary business. As conversion became less the object, and persecution the main business of the Inquisition, the Franciscans were equally useful, and the honors of the organization were divided between them. Indeed, there was no hesitation in confiding inquisitorial functions to clerics of any denomination when occasion required. As early as 1258 we find two canons of Lodeve acting under papal commissions as inquisitors of Albi, and we shall meet hereafter, at the close of the fourteenth century, Peter the Celestinian discharging the duties of papal inquisitor with abundant energy from the Baltic to Styria.*

Yet the earliest inquisitors, properly so called, were unquestionably Dominicans. When, after the settlement between Raymond of Toulouse and St. Louis, the extirpation of heresy in the Albigensian territories was seriously undertaken, and the episcopal organization proved unequal to the task, it was Dominicans who were sent thither to work under the direction of the bishops. In northern France the business gradually fell almost exclusively into the hands of Dominicans. In Aragon, as early as 1232, they are recommended to the Archbishop of Tarragona as fitting instruments, and in 1249 the institution was confided to them. Eventually southern France was divided between them and the Franciscans, the western portion being given to the Dominicans, while the Comtat Venaissin, Provence, Forcalquier, and the states of the empire in the provinces of Arles, Aix, and Embrun were under charge of the Franciscans. As for Italy, after some confusion arising from the conflicting pretensions of the two Orders, it was, in 1254, formally divided between them by Innocent IV., the Dominicans being assigned to Lombardy, Romagnola, Tarvesina, and Genoa, while the central portion of the peninsula fell to the Franciscans; Naples, as yet, being free from the institution. This division, however, was not always strictly observed, for at times we find Franciscan inquisitors in Milan, Romagnola, and Tarvesina. In Germany and Austria the Inquisition, as we shall see, never took deep root, but, in so far as it was organized there, it

* Gregor. PP. IX. Bull. *Ille humani generis.* Ap. 22, 1233.—Potthast Regesta, No. 9143, 9152, 9153, 9155, 9386, 9388, 9995, 10362.—Innoc. PP. IV. Bull. *Inter alia,* 20 Oct. 1248 (Baluze et Mansi I. 208).—Archives de l'Inq. de Carcassonne (Coll. Doat, XXXI. fol. 21).—Archives de l'Évêché d'Albi (Ib. XXXI. 253).

was in Dominican hands, while Bohemia and Dalmatia were under the care of Franciscans.*

Sometimes the two orders were conjoined. In 1237 the Franciscan Etienne de Saint Thibery was associated with the Dominican Guillem Arnaud in Toulouse, in hopes that the reputation of his Order for greater mildness might diminish the popular aversion for the new institution. In April, 1238, Gregory IX. appointed the provincials of the two Orders in Aragon as inquisitors for that kingdom, and in the same year the same policy was pursued in Navarre. In 1255 the Franciscan Guardian of Paris was associated with the Dominican prior as the heads of the Inquisition in France; in 1267 we find both Orders furnishing inquisitors for Burgundy and Lorraine; and in 1311 we hear of two Dominicans and one Franciscan as inquisitors in the province of Ravenna. It was found the wisest course, however, to define sharply the boundaries of their respective jurisdictions, for the active and incessant jealousy between the two bodies rendered any concurrence or competition between them an explosive mine liable to be started by a spark. Their mutual hatreds began early, and the unscrupulous means by which they were gratified were a perpetual scandal and danger to the Church. In 1266, for instance, a lively quarrel arose between the Dominicans of Marseilles and the Franciscan inquisitor of that city. The dissension spread until the two Orders were embroiled throughout Provence, Forcalquier, Avignon, Arles, Beaucaire, Montpellier, and Carcassonne, and everywhere they were preaching against and insulting each other in public. Several briefs of Clement IV. show that the pope was obliged to intervene, and his command that in future inquisitors shall forbear to use their powers to prosecute each other, no matter how guilty the offending party may apparently be, indicates that the sharpest weapons of the Holy Office had been used in the strife. When, as late as 1479, Sixtus IV. forbade inquisi-

* Concil. Narbonn. ann. 1235. — Concil. Biterrens. ann. 1233; ann. 1246. — Concil. Albiens. ann. 1254 c. 17, 18.—Martene Thesaur. V. 1806, 1808-10, 1817, 1819-20.—Ripoll I. 38.—Aguirre Concil. Hispan. VI. 155-6.—Raynald. Annal. ann. 1233, No. 40, 59 sqq.—Waddingi Annal. ann. 1246, No. 2; ann. 1254, No. 7, 8; ann. 1257, No. 17; ann. 1259, No. 3; ann. 1277, No. 10; ann. 1286, No. 4; ann. 1288, No. 14-16.—Rodulphii Hist. Seraph. Relig. Lib. I. fol. 126.—Potthast Regesta, No. 9386, 9388, 9762, 9766, 9993, 10052, 11245, 15304, 15330, 15069.

tors of either Order to sit in judgment on brethren of the other, it would indicate that the intervening two centuries had not diminished the tendency. The jealousy with which their respective limits were defended is illustrated by troubles which occurred in 1290 about the Tarvesina. This was Dominican territory, but for many years the office of inquisitor at Treviso was filled by the Franciscan Filippo Bonaccorso. When, in 1289, he accepted the episcopate of Trent, the Dominicans expected the office to be restored to them, and were indignant at seeing it given to another Franciscan, Frà Bonajuncta. The Dominican inquisitor of Lombardy, Frà Pagano, and his vicar, Frà Viviano, went so far in their resistance that serious disturbances were excited in Verona, and it became necessary for Nicholas IV. to intervene in 1291, when he punished the recalcitrants by perpetual deprivation of their functions. To the heretics it must have offered excusable delight to see their persecutors persecuting each other. So ineradicable was the hostility between the two Orders that Clement IV. established the rule that there should be a distance of at least three thousand feet between their respective possessions—a regulation which only led to new and more intricate disputes. They even quarrelled as to the right of precedence in processions and funerals, which was claimed by the Dominicans, and settled in their favor by Martin V. in 1423. We shall see hereafter how important in the development of the mediæval Church was this implacable rivalry.*

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* MSS. Bib. Nat. Coll. Doat, XXI. 143; XXXII. 15.—Matt. Paris Hist. Angl. anu. 1243 (p. 414). — Guill. Pod. Laur. c. 43. — Raynald. ann. 1238, No. 51.—Hardnin. Coucil. VII. 1319.—Paramo de Orig. Inq. p. 244.—Wadding Annal. ann. 1238, No. 6, 7; ann. 1266, No. 8; ann. 1277, No. 10; ann. 1291, No. 14.—Potthast No. 16132.—Sixti PP. IV. Bull. *Sacri Prædicatorum*, 26 Jul. 1479.—Martene Thesaur. II. 346, 353, 359, 451.—Ripoll II. 82, 164, 617, 695.

The disturbances at Marseilles show the favoritism always manifested towards the Mendicants. Two clerks, whom the Dominicans had procured to depose falsely against the inquisitor, were punished with perpetual prison, degradation, and inability to hold benefices; the bishop who had listened to them was suspended from his office and jurisdiction, while the friars who had suborned the perjury and caused the whole trouble were let off with rendering humiliating apologies and transferred to another province. (Martene ubi sup.)

There has been some dispute as to whether Frà Filippo Bonaccorso was a Franciscan or a Dominican. Wadding (l. c.) prints a bull of 1277 in which he

In the busy world of the thirteenth century there was thus no agency more active than that of the Mendicant Orders, for good and for evil. On the whole perhaps the good preponderated, for they undoubtedly aided in postponing a revolution for which the world was not yet ready. Though the self-abnegation of their earlier days was a quality too rare and perishable to be long preserved, and though they soon sank to the level of the social order around them, yet had their work not been altogether lost. They had brought afresh to men's minds some of the forgotten truths of the gospel, and had taught them to view their duties to their fellows from a higher plane. How well they recognized and appreciated their own services is shown by the story, common to the legend of both Orders, which tells that while Dominic and Francis were waiting the approval of Innocent III. a holy man had a vision in which he saw Christ brandishing three darts with which to destroy the world, and the Virgin inquiring his purpose. Then said Christ, "The world is full of pride, avarice, and lust; I have borne with it too long, and with these darts will I consume it." The Virgin fell on her knees and interceded for man, but in vain, until she revealed to him that she had two faithful servants who would reduce it to his dominion. Then Christ desired to see the champions; she showed him Dominic and Francis, and he was content. The pious author of the story could hardly have foreseen that in 1627 Urban VIII. would be obliged to deprive the Mendicant Friars of Cordova of their dearly prized immunity, and to subject them to episcopal jurisdiction, in the hope of restraining them from seducing their spiritual daughters in the confessional.*

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is addressed as a Franciscan, but one in the Coll. Doat, T. XXXII. fol. 155, characterizes him as a Dominican.

* Anon. Cartus. de Relig. Orig. c. 309 (Martene Ampl. Coll. VI. 68). — Lib. Conformitatum, Lib. I. Fruct. ii. fol. 16b.—MSS. Bib. Bodleian., Arch. S. 130.

CHAPTER VII.

THE INQUISITION FOUNDED.

The gradual organization of the Inquisition was simply a process of evolution arising from the mutual reaction of the social forces which we have described. The Albigensian Crusades had put an end to open resistance, yet the heretics were none the less numerous, and, if less defiant, were only the more difficult to discover. The triumph of force had increased the responsibility of the Church, while the imperfection of its means of discharging that responsibility was self-confessed in the enormous spread of heresy during the twelfth century. We have seen the confused and uncertain manner in which the local prelates had sought to meet the new demands upon them. When the existence of hidden crime is suspected there are three stages in the process of its suppression—the discovery of the criminal, the proof of his guilt, and finally his punishment. Of all others the crime of heresy was the most difficult to discover and to prove, and when its progress became threatening the ecclesiastics on whom fell the responsibility of its eradication were equally at a loss in each of the three steps to be taken for its extermination.

Immersed, for the most part, in the multiplied troubles connected with the overgrown temporalities of their sees, the bishops would await popular rumor to designate some man or group of men as heretical. On seizing the suspected persons, there was rarely any external evidence to prove their guilt, for except where numbers rendered repression impossible, the sectaries were assiduous in outward conformity to orthodox observance, and the slender theological training of episcopal officials was generally unequal to the task of extracting confessions from thoughtful and keen-witted men, or of convicting them out of their own mouths. The judicial use of torture was as yet happily unknown, and the current substitute of a barbarous age, the Ordeal, was resorted to

with a frequency which shows how ludicrously helpless were the ecclesiastics called upon to perform functions so novel. Even St. Bernard approved of this expedient, and in 1157 the Council of Reims prescribed it as the rule in all cases of suspected heresy. More enlightened churchmen viewed its results with well-grounded disbelief, and Peter Cantor mentions several cases to prove its injustice. A poor woman accused of Catharism was abandoned to die of hunger, till in confession to a religious dean she protested her innocence and was advised by him to offer the hot-iron ordeal in proof, which she did with the result of being burned first by the iron and then at the stake. A good Catholic, against whom the only suspicious evidence was his poverty and his pallor, was ordered by an assembly of bishops to undergo the same ordeal, which he refused to do unless the prelates would prove to him that this would not be a mortal sin in tempting God. This tenderness of conscience was sufficient, so without further parley they unanimously handed him over to the secular authorities, and he was promptly burned. With the study of the Roman law, however, this mode of procedure gradually fell into disfavor with the Church, and the enlightenment of Innocent III. peremptorily forbade its use in 1212, when it was extensively employed by Henry of Vehringen, Bishop of Strassburg, to convict a number of heretics; while in 1215 the Council of Lateran, following the example of Alexander III. and Lucius III., formally prohibited all ecclesiastics from taking part in the administration of ordeals of any kind. How great was the perplexity of ignorant prelates, debarred from this ready method of seeking the judgment of God, may be guessed by the expedient which had, in 1170, been adopted by the good Bishop of Besançon, when the religious repose of his diocese was troubled by some miracle-working heretics. He is described as a learned man, and yet to solve his doubts as to whether the strangers were saints or heretics, he summoned the assistance of an ecclesiastic deeply skilled in necromancy and ordered him to ascertain the truth by consulting Satan. The cunning clerk deceived the devil into a confidential mood and learned that the strangers were his servants; they were deprived of the satanic amulets which were their protection, and the populace, which had previously sustained them, cast them pitilessly into the flames.*

* S. Bernard. Serm. LXVI. in Cantic. c. 12.—Hist. Vizeliacens. Lib. IV.—Concil.

When supernatural means were not resorted to, the proceedings were far too cumbrous and uncertain to be efficient against an evil so widely spread and against malefactors so numerous. In 1204 Gui, Archbishop of Reims, summoned Count Robert, cousin of Philip Augustus, the Countess Yolande, and many other laymen and ecclesiastics to sit in judgment on some heretics discovered at Brienne, with the result of burning the unfortunate wretches. In 1201, when the Knight Everard of Chateauneuf was accused of Catharism by Bishop Hugues of Nevers, the Legate Octavian summoned for his trial at Paris a council composed of archbishops, bishops, and masters of the university, who condemned him. All this was complicated by the supreme universal jurisdiction of Rome, which enabled those who were skilful and rich to protract indefinitely the proceedings and perhaps at last to escape. Thus in 1211 a canon of Langres, accused of heresy, was summoned by his bishop to appear before a council of theologians assembled to examine him. Though he had sworn to do so and had given bail, he failed to come forward, and was, after three days' waiting, condemned in default. His absence was accounted for when he turned up in Rome and asserted to Innocent that he had been forced to take the oath and give security after he had appealed to the Holy See. The pope sent him back to the Archbishop of Sens, to the Bishop of Nevers, and Master Robert de Corzon, with instructions to examine into his orthodoxy. Two years later, in 1213, he is again seen in Rome, explaining that he had feared to come before his judges at the appointed time, because the popular feeling against heresy was so strong that not only were all heretics burned, but all who were even suspected, wherefore he craved papal protection and permission to perform due purgation at Rome. Innocent again sent him back with orders to the prelates to give him a safe-conduct and protection until his case should be decided. Whether he was innocent or guilty, whether absolved or condemned, is of little moment. The case sufficiently shows the im-

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Remens. ann. 1137 c. 1.—Cæsar. Heisterb. Dial. Mirac. III. 16, 17; v. 18.—Guibert. Noviogent. de Vita sua Lib. III. c. 18.—Pet. Cantor. Verb. abbrev. c. 78.—Innoc. PP. III. Regest. XIV. 138.—Alex. PP. III. Epist. 74.—C. 8 Extra v. xxxiv.—C. Lateran. IV. c. 18.

possibility of efficient suppression of heresy under the existing system.*

Even after conviction had been obtained there was the same uncertainty as to penalties. In the case of the Cathari who confessed at Liege in 1144, and were with difficulty rescued from the mob who sought to burn them, the church authorities applied to Lucius II. for instructions as to what disposition should be made of them. Those who were captured in Flanders in 1162 were sent to Alexander III., then in France, for judgment, and he sent them back to the Archbishop of Reims. William Abbot of Vezelai possessed full jurisdiction, but when, in 1167, he had some confessed heretics on his hands, in his embarrassment he asked the assembled crowd what he should do with them, and the ready sentence was found in the unanimous shout, "Burn them! burn them!" which was duly executed, although one who recanted and was yet condemned by the water ordeal was publicly scourged and banished by the abbot in spite of a popular demand for concremation. In 1114 the Bishop of Soissons, after convicting some heretics by the water ordeal, went to the Council of Beauvais to consult as to their punishment; but during his absence the people, fearing the lenity of the bishops, broke into the jail and burned them.†

It was not that the Church was absolutely devoid of the machinery for discharging its admitted function of suppressing heresy. It is true that in the early days of the Carlovingian revival, Zachary's instructions to St. Boniface show that the only recognized method at that time of disposing of heretics was by summoning a council, and sending the convicted culprits to Rome for final judgment. Charlemagne's civilizing policy, however, made efficient use of all instrumentalities capable of maintaining order and security in his empire, and the bishops assumed an important position in his system. They were ordered, in conjunction with the secular officials, zealously to prohibit all superstitious observances and remnants of paganism; to travel assiduously throughout their

* Chron. Laudunens. Canon. ann. 1204 (D. Bouquet, XVIII. 718) —Chronolog. Roberti Autissiodor. ann. 1201.—Innocent PP. III. Regest. XIV. 15; XVI. 17.

† Martene Ampl. Collect. I. 776-8.—Alex. PP. III. Epist. 118, 122; Varior. ad Alex. III. Epist. 16.—Hist. Vizeliacens. Lib. IV.—Guibert. Noviogent. l. c.

dioceses making strict inquiry as to all sins abhorred of God, and thus a considerable jurisdiction was placed in their hands, although strictly subordinated to the State. During the troubles which followed the division of the empire, as the feudal system arose on the ruins of the monarchy, gradually the bishops threw off not only dependence on the crown, but acquired extensive rights and powers in the administration of the canon law, which now no longer depended on the civil or municipal law, but assumed to be its superior. Thus came to be founded the spiritual courts which were attached to every episcopate and which exercised exclusive jurisdiction over a constantly widening field of jurisprudence. Of course all errors of faith necessarily came within their purview.*

The organization and functions of these courts received a powerful impetus through the study of the Roman law after the middle of the twelfth century. Ecclesiastics, in fact, monopolized to such an extent the educated intelligence of the age that at first there were few besides themselves to penetrate into the mysteries of the Code and Digest. Even in the second half of the thirteenth century Roger Bacon complains that a civil lawyer, even if wholly untrained in canon law and theology, had a much better chance of high preferment than a theologian, and he exclaims in bitterness that the Church is governed by lawyers to the great injury of all Christian folk. Thus long before the feudal and seignorial courts felt the influence of the imperial jurisprudence, it had profoundly modified the principles and practice of ecclesiastical procedure. The old archdeacon gave way, not without vituperation, before the formal episcopal judge, known as the Official or Ordinary, who was usually a doctor of both laws—an LL.D. in fact—learned in both civil and canon law; and the effect of this was soon seen in a systematizing of ecclesiastical jurisprudence which gave it an immense advantage over the rude processes of the feudal and customary law. These episcopal courts, moreover, were soon sur-

* Hartzheim Concil. German. I. 76, 85–6.—Capit. Car. Mag. ann. 769, c. 6; Capit. II. ann. 813, c. 1.—Gratiani Decret. P. I. Dist. x. I have elsewhere considered in some detail the growth of the spiritual jurisdiction of the Church, through the False Decretals, in the anarchy accompanying the fall of the Carlovingian empire. See "Studies in Church History," 2d Ed. pp. 81–7, 326–39.

rounded by a crowd of clerkly advocates, whose zeal for their clients often outran their discretion, furnishing the first mediæval representatives of the legal profession.*

Following in the traces of the civil law, there were three forms of action in criminal cases—*accusatio*, *denunciatio*, and *inquisitio*. In *accusatio* there was an accuser who formally inscribed himself as responsible and was subject to the *talio* in case of failure. *Denunciatio* was the official act of the public officer, such as the *testis synodalis* or archdeacon, who summoned the court to take action against offenders coming within his official knowledge. In *inquisitio* the Ordinary cited the suspected criminal, imprisoning him if necessary; the indictment, or *capitula inquisitionis*, was communicated to him, and he was interrogated thereupon, with the proviso that nothing extraneous to the indictment could be subsequently brought into the case to aggravate it. If the defendant could not be made to confess, the Ordinary proceeded to take testimony, and though the examination of witnesses was not conducted in the defendant's presence, their names and evidence were communicated to him, he could summon witnesses in rebuttal, and his advocate had full opportunity to defend him by argument, exception, and appeal. The Ordinary finally gave the verdict; if uncertain as to guilt, he prescribed the *purgatio canonica*, or oath of denial shared by a given number of peers of the accused, more or less, according to the nature of the charge and degree of suspicion. In all cases of conviction by the inquisitorial process, the penalty inflicted was lighter than in accusation or denunciation. The danger was recognized of a procedure in which the judge was also the accuser; a man must be popularly reputed as guilty before the Ordinary could commence inquisition against him, and this not by merely a few men or by his enemies, or those unworthy of belief. There must be ample ground for esteeming him guilty before this extraordinary power vested in the judge could be exercised. It is important to bear in mind the equitable provisions of all this episcopal jurisdiction when we come to consider the

* S. Bernardi de Consideratione Lib. I. c. 4.—Rogeri Bacon Op. Tert. c. xxiv.—Pet. Blesens. Epist. 202.—Concil. Rotomag. ann. 1231 c. 48. For the rapidity with which the Church assimilated the Roman law see the collection of decretals by Alexander III. *post Concil. Lateran.*

methods of what we call the Inquisition, erected on these foundations.*

Theoretically there also existed a thorough system of general inquisition or inquest for the detection of all offences, including heresy; and as it was only an application of this which gave rise to the Inquisition, it is worth our brief attention. The idea of a systematic investigation into infractions of the law was familiar to secular as well as to ecclesiastical jurisprudence. In the Roman law, although there was no public prosecutor, it was part of the duty of the ruler or proconsul to make perquisition after all criminals with a view to their detection and punishment, and Septimius Severus, in the year 202, had made the persecution of Christians an especial feature of this official inquisition. The Missi Dominici of Charlemagne were officials commissioned to traverse the empire, making diligent inquisition into all cases of disorder, crime, and injustice, with jurisdiction over clerk and layman alike. They held their assizes four times a year, listened to all complaints and accusations, and were empowered to redress all wrongs and to punish all offenders of whatever rank. The institution was maintained by the successors of Charlemagne so long as the royal power could assert itself; and after the Capetian revolution, as soon as the new dynasty found itself established with a jurisdiction that could be enforced beyond the narrow bounds set by feudalism, it adopted a similar expedient of "inquisitors," with a view of keeping the royal officials under control and insuring a due enforcement of the law. The same device is seen in the itinerant justiciaries of England, at least as early as the Assizes of Clarendon in 1166, when, utilizing the Anglo-Saxon organization, they made an inquest in every hundred and tithing by the lawful men of the vicinage to try and punish all who were publicly suspected of crime, giving rise to the time-honored system of the grand-jury—in itself a prototype of the incipient papal Inquisition. Similar in character were the "Inquisitors and Manifestors" whom we find in Verona in 1228, employed by the State for the detection and punishment of blasphemy; and a still stronger resemblance is seen in the *Jurados* of Sardinia in the fourteenth century—inhabi-

* Fournier, Les Officialités du moyen âge, Paris, 1880, pp. 256 sqq., 273–4.—Cap. 19, 21, §§ 1, 2, Extra v. 1.

tants selected in each district and sworn to investigate all cases of crime, to capture the malefactor, and to bring him before court for trial.*

The Church naturally fell into the same system. We have just seen that Charlemagne ordered his bishops to make diligent visitations throughout their dioceses, investigating all offences; and with the growth of ecclesiastical jurisdiction this inquisitorial duty was, nominally at least, perfected and organized. Already at the commencement of the tenth century we find in use a method (falsely attributed to Pope Eutychianus) which was subsequently imitated by the Inquisition. As the bishop reached each parish in his visitation, the whole body of the people was assembled in a local synod. From among these he selected seven men of mature age and approved integrity who were then sworn on relics to reveal without fear or favor whatever they might know or hear, then or subsequently, of any offence requiring investigation. These *testes synodales*, or synodal witnesses, became an institution established, theoretically at least, in the Church, and long lists of interrogatories were drawn up to guide the bishops in examining them so that no possible sin or immorality might escape the searching inquisition. Yet how completely these well-devised measures fell into desuetude, under the negligence of the bishops, is seen in the surprise awakened when, in 1246, Robert Grosseteste, the reforming Bishop of Lincoln, ordered, at the suggestion of the Franciscans, such a general inquisition into the morals of the people throughout his extensive diocese. His archdeacons and deans summoned both noble and commoner before them and examined them under oath, as required by the canons; but the proceeding was so unusual and brought to light so many scandals that Henry

* Fr. 13, Dig. I. (Ulpian.).—Allard, Histoire des Persecutions, Paris, 1885, p. iii.—Capit. Car. Mag. I. ann. 802; III. ann. 810; III. ann. 813.—Capit. Ludov. Pii V., VI. ann. 819; ann. 823, c. 28; Capit. Wormatiens. ann. 829.—Caroli Calvi Capit. apud Carisiacum ann. 857; Edict. Pistens. ann. 864.—Carolomanni Capit. ann. 884.—Guillel. Nangiac. Gest. S. Ludov. ann. 1255 (D. Bouquet, XX. 394, 400).—Ducange, s. v. *Inquisitores*.—Les Olim. T. III. pp. 169, 181, 211, 231, 358, 471, 501, 522, 529, 616.—Assisæ de Clarendon § 1 (Stubbs's Select Charters, p. 137, cf. p. 25).—Stubbs's Constitutional History, I. 99-100, 813, 530, 695-6.—Lib. Juris Civilis Veronæ c. 171 (Ed. 1728, p. 130).—Carta de Logu cap. xvi. (Ed. 1805, pp. 30-2).

III. was induced to interfere and ordered the sheriffs to put an end to it.*

The Church thus possessed an organization well adapted for the discovery and investigation of heretics. All that it lacked were the men who should put that organization to its destined use; and the progress of heresy up to the date of the Albigensian Crusades manifests how utterly neglectful were the ignorant prelates of the day, immersed in worldly cares, for the most part, and thinking only of the methods by which their temporalities could be defended and their revenues increased. Successive popes made fruitless efforts to arouse them to a sense of duty and induce them to use the means at their disposal for a systematic and vigorous onslaught on the sectaries, who daily grew more alarming. From the assembly of prelates who attended, in 1184, the meeting at Verona between Lucius III. and Frederic Barbarossa, the pope issued a decretal at the instance of the emperor and with the assent of the bishops, which if strictly and energetically obeyed might have established an episcopal instead of a papal Inquisition. In addition to the oath—referred to in a previous chapter—prescribed to every ruler, to assist the Church in persecuting heresy, all archbishops and bishops were ordered, either personally or by their archdeacons or other fitting persons, once or twice a year to visit every parish where there was suspicion of heresy, and compel two or three men of good character, or the whole vicinage if necessary, to swear to reveal any reputed heretic, or any person holding secret conventicles, or in any way differing in mode of life from the faithful in general. The prelate was to summon to his presence those designated, who, unless they could purge themselves at his discretion, or in accordance with local custom, were to be punished as the bishop might see fit. Similarly, any who refused to swear, through superstition, were to be condemned and punished as heretics *ipso facto*. Obstinate heretics, refusing to abjure and return to the Church with due penance, and those who after abjuration relapsed, were to be abandoned to the secular arm for fitting punishment. There was nothing organically new in all this—only a

* Reginon. de Eccles. Discip. Lib. II. c. 1–3.—Burchardi Decret. Lib. I. c. 91–4.—Gratiani Decret. P. II. c. xxxv. Q. vi. c. 7.—C. 7 Extra II. xxi.—Matt. Paris ann. 1246 (Ed. 1644, p. 480).

utilizing of existing institutions and an endeavor to recall the bishops to a sense of their duties; but a further important step was taken in removing all exemptions from episcopal jurisdiction in the matter of heresy and subjecting to their bishops the privileged monastic orders which depended directly on Rome. Fautors of heresy were, moreover, declared incapable of acting as advocates or witnesses or of filling any public office.*

We have already seen how utterly this effort failed to arouse the hierarchy from their sloth. The weapons rusted in the careless hands of the bishops, and the heretics became ever more numerous and more enterprising, until their gathering strength showed clearly that if Rome would retain her domination she must summon the faithful to the arbitrament of arms. She did not shrink from the alternative, but she recognized that even the triumph of her crusading hosts would be comparatively a barren victory in the absence of an organized system of persecution. Thus while de Montfort and his bands were slaying the abettors of heresy who dared to resist in the field, a council assembled in Avignon, in 1209, under the presidency of the papal legate, Hugues, and enacted a series of regulations which are little more than a repetition of those so fruitlessly promulgated twenty-five years before by Lucius III., the principal change being that in every parish a priest should be adjoined to the laymen who were to act as synodal witnesses or local inquisitors of heresy. Under this arrangement, repeated by the Council of Montpellier in 1215, there was considerable persecution and not a few burnings. In the same spirit, when the Council of Lateran met in 1215 to consolidate the conquests which then seemed secure to the Church, it again repeated the orders of Lucius. No other device suggested itself, no further means seemed either available or requisite, if only this could be carried out, and its enforcement was sought by decreeing the deposition of any bishop neglecting this paramount duty, and his replacement by one willing and able to confound heresy.†

This utterance of the supreme council of Christendom was as

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* Lucii PP. III. Epist. 171.

† Concil. Avenionens. ann. 1209 c. 2.—Concil. Monspessulan. ann. 1215 c. 46.—Douais, Les sources de l'histoire de l'Inquisition (Revue des Questions Historiques, 1 Oct. 1881, p. 401).—C. Lateran. IV. c. 2.

ineffectual as its predecessors. An occasional earnest fanatic was found, like Foulques of Toulouse or Henry of Strassburg, who labored vigorously in the suppression of heresy, but for the most part the prelates were as negligent as ever, and there is no trace of any sustained and systematic endeavor to put in practice the periodical inquisition so strenuously enjoined. The Council of Narbonne, in 1227, imperatively commanded all bishops to institute in every parish *testes synodales* who should investigate heresy and other offences, and report them to the episcopal officials, but the good prelates who composed the assembly, satisfied with this exhibition of vigor, separated and allowed matters to run on their usual course. We hardly need the assurance of the contemporary Lucas of Tuy, that bishops for the most part were indifferent as to the matter of heresy, while some even protected heretics for filthy gain, saying, when reproached, "How can we condemn those who are neither convicted nor confessed?" No better success followed the device of the Council of Béziers in 1234, which earnestly ordered the parish priests to make out lists of all suspected of heresy and keep a strict watch upon them.*

The popes had endeavored to overcome this episcopal indifference by a sort of irregular and spasmodic Legatine Inquisition. As the papal jurisdiction extended itself under the system of Gregory VII. the legate had become a very useful instrument to bring the papal power to bear upon the internal affairs of the dioceses. As the direct representatives and plenipotentiaries of the vicegerent of God the legates carried and exercised the supreme authority of the Holy See into the remotest corners of Christendom. That they should be employed in stimulating languid persecution was inevitable. We have already seen the part they played in the affairs of the Albigenses, from the time of Henry of Citeaux to that of Cardinal Romano. In the absence of any systematic method of procedure they were even used in special cases to supplement the ignorance of local prelates, as when, in 1224, Honorius III. ordered Conrad, Bishop of Hildesheim, to bring before the Legate Cinthio, Cardinal of Porto, for judgment Henry Minneke, Provost of St. Maria of Goslar, whom he held in prison

* Concil. Narbonn. ann. 1227 c. 14.—Lucæ Tudens. de altera Vita c. 19.—Concil. Biterrens. ann. 1234 c. 5.

on suspicion of heresy. It was, however, in Toulouse, after the treaty of Paris, in 1229, that we find the most noteworthy case of the concurrence of legatine and episcopal action, showing how crude as yet were the conceptions of the nascent Inquisition. After Count Raymond had been reconciled to the Church, he returned in July to his dominions, followed by the Cardinal-Legate Romano, to see to the execution of the treaty and to turn back the armed "pilgrims" who were swarming to fight for the Cross, and who revenged themselves for their disappointment by wantonly destroying the harvests and creating a famine in the land. In September a council was assembled at Toulouse, consisting of all the prelates of Languedoc, and most of the leading barons. This adopted a canon ordering anew all archbishops, bishops, and exempted abbots to put in force the device of the synodal witnesses, who were charged with the duty of making constant inquisition for heretics and examining all suspected houses, subterranean rooms, and other hiding-places; but there is no trace of any obedience to this command or of any results arising from it. Under the impulsion of the legate and of Foulques of Toulouse, however, the council itself was turned into an inquisition. A converted "perfected" Catharan, named Guillem de Solier, was found and was restored to his legal rights in order to enable him to give evidence against his former brethren, while Bishop Foulques industriously hunted up other witnesses. Each bishop present took his share in examining these, sending to Foulques the evidence reduced to writing, and thus, we are told, a vast amount of business was accomplished in a short time. It was found that the heretics had mostly pledged each other to secrecy, and that it was virtually impossible to extract anything from them, but a few of the more timid came forward voluntarily and confessed, and of course each one of these, under the rules in force, was obliged to tell all he knew about others, as the condition of reconciliation. A vast amount of evidence was thus collected, which was taken by the legate for the purpose of deciding the fate of the accused, and with it he left Toulouse for Montpellier. A few of the more hardy offenders endeavored to defend themselves judicially, and demanded to see the names of the witnesses, even following the legate to Montpellier for that purpose; but he, under the pretext that this demand was for the purpose of slaying those who had testified

against them, adroitly eluded it by exhibiting a combined list of all the witnesses, so that the culprits were forced to submit without defence. He then held another council at Orange, and sent to Foulques the sentences, which were duly communicated to the accused assembled for the purpose in the church of St. Jacques. All the papers of the inquisition were carried to Rome by the legate for fear that if they should fall into the hands of the evil-minded they would be the cause of many murders—and, in fact, a number of the witnesses were slain on simple suspicion.*

All this shows how crude and cumbrous an implement was the episcopal and legatine Inquisition even in the most energetic hands, and how formless and tentative was its procedure. A few instances of the use of synodal witnesses are subsequently to be found, as in the Council of Arles, in 1234, that of Tours, in 1239, that of Béziers, in 1246, of Albi, in 1254, and in a letter of Alphonse of Poitiers in 1257, urging his bishops to appoint them as required by the Council of Toulouse. An occasional example of the legatine Inquisition may also be met with. In 1237 the inquisitors of Toulouse were acting under legatine powers, as sub-delegates to the Legate Jean de Vienne; and in the same year, when the people of Montpellier asked the pope for assistance to suppress the growth of heresy, their bishop apparently being supine, he sent Jean de Vienne there with instructions to act vigorously. The episcopal office was similarly disregarded in 1239, when Gregory IX. sent orders to the inquisitors of Toulouse to obey the instructions of his legate. Yet this legatine function in time passed so completely out of remembrance that in 1351 the Signiory of Florence asked the papal legate to desist from a charge of heresy on which he had cited the Camaldulensian abbot, because the republic had never permitted its citizens to be judged for such an offence except by the inquisitors; and as early as 1257, when the inquisitors of Languedoc complained of the zeal of the Legate Zoen, Bishop of Avignon, in carrying on inquisitorial work, Alexander IV. promptly decided that he had no such power outside of his own diocese.†

* Potthast No. 7260.—Concil. Tolosan. ann. 1229 c. 1, 2.—Guill. de Pod. Laur. c. 40.—Guill. Pelisso Chron. Ed. Molinier, p. 18.

† Concil. Arelatens. ann. 1234 c. 5.—Concil. Turonens. ann. 1239 c. 1.—Concil. Biterrens. ann. 1246 c. 1.—Concil. Albiens. ann. 1254 c. 1.—Archives de l'Inq. de Carcassonne (Coll. Doat, XXX. 250).—Vaissette, III. Pr. pp. 385–6.—Raynald An-

The public opinion of the ruling classes of Europe demanded that heresy should be exterminated at whatever cost, and yet with the suppression of open resistance the desired end seemed as far off as ever. Bishop and legate were alike unequal to the task of discovering those who carefully shrouded themselves under the cloak of the most orthodox observance; and when by chance a nest of heretics was brought to light, the learning and skill of the average Ordinary failed to elicit a confession from those who professed the most entire accord with the teachings of Rome. In the absence of overt acts it was difficult to reach the secret thoughts of the sectary. Trained experts were needed whose sole business it should be to unearth the offenders and extort a confession of their guilt. As this necessity became more and more apparent two new factors contributed to the solution of the long-vexed problem.

The first of these was the organization of the Mendicant Orders, whose peculiar fitness for the work which had outgrown the capacity of the episcopal courts might well make their establishment seem a providential interposition to supply the Church of Christ with what it most sorely needed. As the necessity grew apparent of special and permanent tribunals devoted exclusively to the widespread sin of heresy, there was every reason why they should be wholly free from the local jealousies and enmities which might tend to the prejudice of the innocent, or the local favoritism which might connive at the escape of the guilty. If, in addition to this freedom from local partialities, the examiners and judges were men specially trained to the detection and conversion of the heretic; if, also, they had by irrevocable vows renounced the world; if they could acquire no wealth and were dead to the enticements of pleasure, every guarantee seemed to be afforded that their momentous duties would be fulfilled with the strictest justice—that while the purity of the faith would be protected, there would be no unnecessary oppression or cruelty or persecution dictated by private interests and personal revenge. Their unlimited popularity was also a warrant that they would receive far more efficient assistance in their arduous labors than could be expected by the

nal. ann. 1237, No. 32.—Archives de France, J. 430, No. 19-20.—Archivio di Firenze, Riformagioni, Classe v. fol. 80.—Archives de l'Inq. de Carcassonne (Doat, XXXI. 239).

bishops, whose position was generally that of antagonism to their flocks and to the petty seigneurs and powerful barons whose aid was indispensable. That the Mendicant Orders, to which this duty thus naturally fell, were peculiarly devoted to the papacy, and that they made the Inquisition a powerful instrument to extend the influence of Rome and destroy what little independence was left to the local churches, became subsequently doubtless an additional reason for their employment, but could scarce have been a motive in the early tentative efforts. Thus to the public of the thirteenth century the organization of the Inquisition and its commitment to the children of St. Dominic and St. Francis appeared a perfectly natural or rather inevitable development arising from the admitted necessities of the time and the instrumentalities at hand.

The other factor which promised success to the Church, in an organized effort to discharge the duty of persecution, was the secular legislation against heresy which at this period took form and shape. We have seen the spasmodic edicts of England and Aragon in the twelfth century, which have interest only as showing the absence of anterior penal laws. Frederic Barbarossa took no effective steps to give validity to the regulations which Lucius III. issued from Verona in 1184, though they purported to be drawn up with the emperor's sanction. The body of customary law which de Montfort adopted at Pamiers in 1212 of course disappeared with his short-lived domination. There had been, it is true, some fragmentary attempts at legislation, as when the Emperor Henry VI., in 1194, prescribed confiscation of property, severe personal punishment, and destruction of houses for heretics, and heavy fines for persons or communities omitting to arrest them; and this was virtually repeated in 1210 by Otho IV., showing how soon it had been forgotten. How little uniformity, indeed, there was in the treatment of heresy is proved by such stray edicts of the period as chance to have reached us. Thus in 1217 Nuñez Sancho of Rosellon decreed outlawry for heretics, and in 1228 Jayme I. of Aragon followed his example, showing that this could not have previously been customary. On the other hand, the statutes of Pignerol in 1220 only inflict a fine of ten sols for knowingly giving shelter to Vaudois. Louis VIII. of France, just before his death, issued an *ordonnance* punishing this same crime with confiscation and deprivation of all legal rights, while the royal officials were

ordered to inflict proper and immediate punishment on all who were convicted of heresy by the ecclesiastical judges. The statutes in force in Florence in 1227 required the bishop to act in conjunction with the podestà in all prosecutions for heresy, which was a serious limitation on the episcopal courts. In 1228 we hear of new laws adopted in Milan, at the instance of the papal legate, Goffredo, by which all heretics were banished from the territory of the republic, their houses torn down, the contents confiscated, their persons outlawed, with graduated fines for harboring them. A mixed secular and ecclesiastical inquisition was established for the discovery of heretics, and the archbishop and podestà were to co-operate in their examination and sentence; while the latter was bound to put to death within ten days all convicts. In Germany, as late as 1231, it required the decision of King Henry VII. to determine the disposition of property confiscated on heretics, and allodial lands were allowed to descend to the heirs, in contradiction, as we shall see, to all subsequent ruling.*

To put in action any comprehensive system of persecution, it evidently was requisite to overcome the centrifugal tendency of mediæval legislation, which finds its ultimate expression in free Navarre, where every town of importance had its special *fuero*, and almost every house its individual custom. Innocent III. endeavored, at the Lateran Council of 1215, to secure uniformity by a series of severe regulations defining the attitude of the Church to heretics, and the duties which the secular power owed to exterminate them under pain of forfeiture, and this became a recognized part of canon law; but in the absence of active secular co-operation its provisions for a while remained practically a dead letter. It was reserved for the arch-enemy of the Church, Frederic II., to break down, throughout the greater part of Europe, the particularism of local statutes, and place the population at the mercy of such emissaries as the popes might send to represent them. It was requisite for him to acquire the favor of Honorius III. to secure his coronation in 1220; and when the inevitable rupture took place, it was still necessary for him to meet the charge of heresy so freely brought against

* Lami, Antichità Toscane, pp. 484, 504, 524.—Muratori Antiq. Ital. Diss. LX. (T. XII. p. 447).—D'Achery Spicileg. III. 588, 598.—Charvaz, Origine dei Valdesi, Torino, 1838, App. No. xxii.—Isambert, Anc. Loix Fran. I. 228.—Corio, Hist. Milanese, ann. 1228-9.—Hist. Diplom. Frid. II. T. III. p. 466.

him by manifesting special zeal in the persecution of heretics, though doubtless, if left to himself, philosophic indifference would have led him to tolerate any form of belief that did not threaten disobedience to the ruler.*

In a series of edicts dating from 1220 to 1239 he thus enacted a complete and pitiless code of persecution, based upon the Lateran canons. Those who were merely suspected of heresy were required to purge themselves at command of the Church, under penalty of being deprived of civil rights and placed under the imperial ban; while, if they remained in this condition for a year, they were to be condemed as heretics. Heretics of all sects were outlawed; and when condemned as such by the Church they were to be delivered to the secular arm to be burned. If, through fear of death, they recanted, they were to be thrust in prison for life, there to perform penance. If they relapsed into error, thus showing that their conversion had been fictitious, they were to be put to death. All the property of the heretic was confiscated and his heirs disinherited. His children, to the second generation, were declared ineligible to any positions of emolument or dignity, unless they should win mercy by betraying their father or some other heretic. All "credentes," fautors, defenders, receivers, or advocates of heretics were banished forever, their property confiscated, and their descendants subjected to the same disabilities as those of heretics. Those who defended the errors of heretics were to be treated as heretics unless, on admonition, they mended their ways. The houses of heretics and their receivers were to be destroyed, never to be rebuilt. Although the evidence of a heretic was not receivable in court, yet an exception was made in favor of the faith, and it was to be held good against another heretic. All rulers and magistrates, present or future, were required to swear to exterminate with their utmost ability all whom the Church might designate as heretics, under pain of forfeiture of office. The lands of any temporal lord who neglected, for a year after summons by the Church, to clear them of heresy, were exposed to the occupancy of any Catholics who, after extirpating the heretics, were to possess them in peace without prejudice to the rights of

* De Lagrèze, La Navarre Française, I. xxi; II. 6.—Concil. Lateran. IV. c. 3 (C. 13 Extra v. vii.).

the suzerain, provided he had offered no opposition. When the papal Inquisition was commenced, Frederic hastened, in 1232, to place the whole machinery of the State at the command of the inquisitors, who were authorized to call upon any official to capture whomsoever they might designate as a heretic, and hold him in prison until the Church should condemn him, when he was to be put to death.*

This fiendish legislation was hailed by the Church with acclamation, and was not allowed to remain, like its predecessors, a dead letter. The coronation-edict of 1220 was sent by Honorius to the University of Bologna to be read and taught as a part of practical law. It was consequently embodied in the authoritative compilation of the feudal customs, and its most stringent enactments were incorporated in the Civil Code. The whole series of edicts was subsequently promulgated by successive popes in repeated bulls, commanding all states and cities to inscribe these laws irrevocably in their local statute-books. It became the duty of the inquisitors to see that this was done, to swear all magistrates and officials to enforce them, and to compel their obedience by the free use of excommunication. In 1222, when the magistrates of Rieti adopted laws conflicting with them, Honorius at once ordered the offenders removed from office; in 1227 the people of Rimini resisted, but were coerced to submission; in 1253, when some of the Lombard cities demurred, Innocent IV. promptly ordered the inquisitors to subdue them; in 1254 Asti peacefully accepted them as part of its local laws; Como followed the exam-

* Hist. Diplom. Frid. II. T. II. pp. 4-6, 422; T. IV. pp. 6-8, 299-302; T. V. pp. 201, 279-80. The coronation-edict, which formed the basis of all subsequent legislation against heresy, was drawn up by the papal curia, and sent, a fortnight before the ceremony, to the Legate Bishop of Tusculum, with orders to procure the imperial signature and return it, so that it could be published under the emperor's name in the church of St. Peter (Raynald. ann. 1220, No. 19.—Hist. Dipl. I. II. 880). Nothing could seem a plainer duty to an ecclesiastic of the time than that the Church should stimulate the temporal ruler to the sharpest persecution of heresy.

It was doubtless the outlawry of heretics pronounced by the edicts of Frederic which enabled the Inquisition to establish the settled principle that the heretic could be captured and despoiled at any time and by any person, and that the spoiler could retain his goods—provided always that he was not an official of the Holy Office (Tract. de Inquisitione, Doat, XXXVI.).

ple, September 10, 1255; and in the recension of the laws of Florence made as late as 1355, they still appear as an integral part. Finally, they were incorporated in the latest additions to the Corpus Juris as part of the canon law itself, and, technically speaking, they may be regarded as in force to the present day.*

This virtually provided for a very large portion of Europe, extending from Sicily to the North Sea. The western regions made haste to follow the pious example. Coincident with the Treaty of Paris, in 1229, was an *ordonnance* issued in the name of the boy-king, Louis IX., giving efficient assistance by the royal officials to the Church in its efforts to purge the land of heresy. In the territories which remained to Count Raymond his vacillating course gave rise to much dissatisfaction, until, in 1234, he was compelled to enact, with the consent of his prelates and barons, a statute drawn up by the fanatic Raymond du Fauga of Toulouse, which embodied all the practical points of Frederic's legislation, and decreed confiscation against every one who failed, when called upon, to aid the Church in the capture and detention of heretics. In the compilations and law books of the latter half of the century we see the system thoroughly established as the law of the whole land, and in 1315 Louis le Hutin formally adopted the edicts of Frederic and made them valid throughout France.†

In Aragon Don Jayme I., in 1226, issued an edict prohibiting all heretics from entering his dominions, probably on account of the fugitives driven out of Languedoc by the crusade of Louis VIII. In 1234, in conjunction with his prelates, he drew up a

* Hist. Diplom. Frid. II. T. II. p. 7.—Post Libb. Feudorum.—Post constt. iv. xix. Cod. I. v. — Innoc. PP. IV. Bull. *Cum adversus*, 1243, 1252, 1254; Bull. *Orthodoxæ*, 27 Apr., 14 Maii, 1252.—Alex. PP. IV. Bull. *Cum adversus*, 1258.—Ejusd. Bull. *Cupientes*, 1260. — Clement. PP. IV. Bull. *Cum adversus*, 1265.—Wadding. Annal. Minor. ann. 1261, No. 3; ann. 1289, No. 20.—Urbani PP. IV. Bull. *Licet ex omnibus*, 1262, § 12.—Epistt. Sæculi XIII. No. 191 (Monument. Hist. German.).—Eymerici Direct. Inquis. Ed. Pegnæ, 1607, p. 392.—Innoc. PP. IV. Bull. *Ad aures*, 2 Apr. 1253.—Sclopis, Antica Legislazione del Piemonte, p. 440. — Bernardi Comens. Lucerna Inquisit. s. v. *Executio*, No. 3. — Archivio di Firenze, Riformagioni, Classe II. Distinz. 1, No. 14.—Potthast No. 7672.—C. 2 in Septimo, v. 3.

† Isambert, Anc. Lois Fran. I. 230–33; III. 126.—Harduin. Concil. VII. 203–8. —Guill. de. Pod. Laur. c. 42. — Etablissements, Liv. I. ch. 85, 123. — Livres de Jostice et de Plet, Liv. I. Tit. iii. § 7.

series of laws instituting an episcopal Inquisition of the severest character, to be supported by the royal officials; in this appears for the first time a secular prohibition of the Bible in the vernacular. All possessing any books of the Old or New Testament, "in Romancio," are summoned to deliver them within eight days to their bishops to be burned, under pain of being held suspect of heresy. Thus, with the exception of farther Spain and the Northern nations, where heresy had never taken root, throughout Christendom the State was rendered completely subservient to the Church in the great task of exterminating heresy. And, when the Inquisition had been established, the enforcing of this legislation was the peculiar privilege of the inquisitors, whose ceaseless vigilance and unlimited powers gave full assurance that it would be relentlessly carried into effect.*

Meanwhile zeal or jealousy led, in the confusion and uncertainty of this transition period, to the experiment, in several parts of Italy, of a secular Inquisition. In Rome, in 1231, Gregory IX. drew up a series of regulations which was issued by the Senator Annibaldo in the name of the Roman people. Under this the senator was bound to capture all who were designated to him as heretics, whether by inquisitors appointed by the Church or other good Catholics, and to punish them within eight days after condemnation. Of their confiscated property one third went to the detector, one third to the senator, and one third to repairing the city walls. Any house in which a heretic was received was to be destroyed, and converted forever into a receptacle of filth. "Credentes" were treated as heretics, while fautors, receivers, etc., forfeited one third of their possessions, applicable to the city walls. A fine of twenty lire was imposed on any one cognizant of heresy and not denouncing it; while the senator who neglected to enforce the law was subject to a mulct of two hundred marks and perpetual disability to office. To appreciate the magnitude of these fines we must consider the rude poverty of the Italy of the period as described by a contemporary—the squalor of daily life

* Archives Nat. de France, J. 426, No. 4. — Martene Ampliss. Collect. VII. 123-4.—Bernard. Guidon. Practica P. IV. (Coll. Doat, XXX.).—Clem. PP. IV. Bull. *Præcunctis*, 23 Feb. 1266.

In 1229 the Council of Toulouse had already prohibited all laymen from possessing any of the Scriptures, even in Latin (Concil. Tolosan. ann. 1229, c. 12).

and the scarcity of the precious metals, as indicated by the absence of gold and silver ornaments in the dress of the period. Not satisfied with the local enforcement of these regulations, Gregory sent them to the archbishops and princes throughout Europe, with orders to put them in execution in their respective territories, and for some time they formed the basis of inquisitorial proceedings. In Rome the perquisition was successful, and the faithful were rewarded with the spectacle of a considerable number of burnings; while Gregory, encouraged by success, proceeded to issue a decretal, forming the basis of all subsequent inquisitorial legislation, by which condemned heretics were to be abandoned to the secular arm for exemplary punishment, those who returned to the Church were to be perpetually imprisoned, and every one cognizant of heresy was bound to denounce it to the ecclesiastical authorities under pain of excommunication.*

At the same time Frederic II., who desired to give Rome as little foothold as possible in his Neapolitan dominions, placed the business of persecution there in the hands of the royal officials. In his Sicilian Constitutions, issued in 1231, he ordered his representatives to make diligent inquisition into the heretics who walk in darkness. All, however slightly suspected, are to be arrested and subjected to examination by ecclesiastics, and those who deviate ever so little from the faith, if obstinate, are to be gratified with the fiery martyrdom to which they aspire, while any one daring to intercede for them shall feel the full weight of the imperial displeasure. As the legislation of a freethinker, this shows the irresistible weight of public opinion, to which Frederic dared not run counter. Nor did he allow this to remain a dead letter. A number of executions under it took place forthwith, and two years later we find him writing to Gregory deploring that this had not been sufficient, for heresy was reviving, and that he therefore had ordered the justiciary of each district, in conjunction with some prelate, to renew the inquisition with all activity; the bishops were required to traverse their dioceses thoroughly, in company, when necessary, of judges delegated for the purpose; in

* Raynald. Annal. ann. 1231, No. 13, 18.—Ripoll I. 38.—Ricobaldi Ferrar. Hist. Impp. ann. 1234. — Paramo de Orig. Offic. S. Inq. p. 177. —Richardi di S. Germano Chron. ann. 1231.—C. 15 Extra v. vii. (In this canon "noluerint" is evidently an error for "voluerint").—Hartzheim Concil. German. III. 540.

each province the General Court held two assizes a year, when heresy was punished like any other crime. Yet, so far from praising this systematized persecution, Gregory replied that Frederic was using pretended zeal to punish his personal enemies, and was burning good Catholics rather than heretics.*

In this confused and irregular striving to accomplish the extirpation of heresy, it was inevitable that the Holy See should intervene, and through the exercise of its supreme apostolic authority seek to provide some general system for the efficient performance of the indispensable duty. The only wonder, indeed, is that this should have been postponed so long and have been at last commenced so tentatively and apologetically.

In 1226 an effort was made to check the rapid spread of Catharism in Florence by the arrest of the heretic bishop Filippo Paternon, whose diocese extended from Pisa to Arezzo. He was tried, in accordance with the existing Florentine statutes, by the bishop and podestà conjointly, when he cut short the proceedings by abjuration, and was released; but he speedily relapsed, and became more odious than ever to the orthodox. In 1227 a converted heretic complained of this backsliding to Gregory IX., and the pontiff, who had just ascended the papal throne, made haste to remedy the evil by issuing a commission, which may be regarded as the foundation of the papal Inquisition. Yet it was exceedingly unobtrusive, though the church of Florence was so directly under papal control. Bearing date June 20, 1227, it simply authorizes Giovanni di Salerno, prior of the Dominican house of Santa Maria Novella, with one of his frati and Canon Bernardo, to proceed judicially against Paternon and his followers and force them to abjuration; acting, in case of obstinacy, under the canons of the Lateran Council, and, if necessary, calling upon the clerks and laymen of the sees of Florence and Fiesole for aid. Thus, while there was no scruple in invading the jurisdiction of the Bishop of Florence, there was no legislation other than the Lateran canons to guide the proceedings. What the commissioners

* Constit. Sicular. Lib. I. Tit. 1.—Hist. Diplom. Frid. II. T. IV. pp. 435, 444. —Rich. de S. Germano Chron. ann. 1233. —Giannone, Istoria Civile di Napoli, Lib. XVII. c. 6; XIX. 5.

accomplished with regard to the inferior heretics is not known. They succeeded in capturing Bishop Paternon and cast him in prison, but he was forcibly rescued by his friends and disappeared, leaving his episcopate to his successor, Torsello.*

Frà Giovanni retained his commission until his death in 1230, when a successor was appointed in the person of another Dominican, Aldobrandino Cavalcanti. Still, their jurisdiction was as yet wholly undetermined, for in June, 1229, we hear of the Abbot of San Miniato carrying to Gregory IX., in Perugia, two leading heretics, Andrea and Pietro, who were forced to a public abjuration in presence of the papal court; and in several cases in 1234 we find Gregory IX. intervening, taking bail of the accused and sending special instructions to the inquisitor in charge. Yet the Inquisition was gradually taking shape, for shortly afterwards there were numerous heretics discovered, some of whom were burned, their trials being still preserved in the archives of Santa Maria Novella. Yet how little thought there could have been of founding a permanent institution is shown, in 1233, by the persecuting statutes drawn up by Bishop Ardingho, approved by Gregory, and ordered by him to be irrevocably inscribed in the statute-book of Florence. In these the bishop is still the persecuting representative of the Church, and there is no allusion to inquisitors. The podestà is bound to arrest any one pointed out to him by the bishop, and to punish him within eight days after the episcopal condemnation, with other provisions borrowed from the edicts of Frederic II. Frà Aldobrandino seems to have relied rather on preaching than on persecution; in fact he nowhere in the documents signed by him qualifies himself as inquisitor, and neither his efforts nor those of Bishop Ardingho were able to prevent the rapid growth of heresy. In 1235, when the project of an organized Inquisition throughout Europe was taking shape, Gregory appointed the Dominican Provincial of Rome inquisitor throughout his extensive province, which embraced both Sicily and Tuscany; but this seems to have proved too large a district, and about 1240 we find the city of Florence under the charge of Frà Ruggieri Calcagni. He was of a temper well fitted to extend the prerogatives of his office and to render it effective; but it was not until 1243 that

* Lami, Antichità Toscane, pp. 493–4, 509–10, 546.

he qualified himself as "*Inquisitor Domini Papæ in Tuscia*," and in a sentence rendered in 1245 he is careful to call himself inquisitor of Bishop Ardingho as well as of the pope, and recites the episcopal commission given him as authority to act. In the proceedings of this period the rudimentary character of the Inquisition is evident. One confession in 1244 bears only the names of two frati, the inquisitor not being even present. In 1245 there are sentences signed by Ruggieri alone, while other proceedings show him to be acting conjointly with Ardingho. He may be said, indeed, to have given the Inquisition in Florence form and shape when, about 1243, he opened for the first time his independent tribunal in Santa Maria Novella, taking as assessors two or three prominent friars of the convent and employing public notaries to make record of his proceedings*

This is a fair illustration of the gradual development of the Inquisition. It was not an institution definitely projected and founded, but was moulded step by step out of the materials which lay nearest to hand fitted for the object to be attained. In fact, when Gregory, recognizing the futility of further dependence on episcopal zeal, sought to take advantage of the favorable secular legislation against heresy, the preaching friars were the readiest instruments within reach for the accomplishment of his object. We shall see hereafter how, as in Florence, the experiment was tried in Aragon and Languedoc and Germany, and the success which on the whole attended it and led to an extended and permanent organization.

The Inquisition has sometimes been said to have been founded April 20, 1233, the day on which Gregory issued two bulls making the persecution of heresy the special function of the Dominicans; but the apologetic tone in which he addresses the prelates shows how uncertain he felt as to their enduring this invasion of their jurisdiction, while the character of his instructions proves that he had no conception of what the innovation was to lead to. In fact, his immediate object seems rather the punishment of priests and other ecclesiastics, concerning whom there was a stand-

* Lami op. cit. 511, 519-22, 528, 531, 543-4, 546-7, 554, 557, 559.—Archiv. di Firenze. Prov. S. Maria Novella 1227, Giugn. 20; 1229, Giugn. 24; 1235, Agost. 23.—Ughelli, Italia Sacra, III. 146-7.—Ripoll I. 69, 71.

ing complaint that they favored heretics by instructing them how to evade examination by concealing their beliefs and feigning orthodoxy. After reciting the necessity of subduing heresy and the raising up by God of the preaching friars, who devote themselves in voluntary poverty to spreading the Word and extirpating misbelief, Gregory proceeds to tell the bishops: "We, seeing you engrossed in the whirlwind of cares and scarce able to breathe in the pressure of overwhelming anxieties, think it well to divide your burdens that they may be more easily borne. We have therefore determined to send preaching friars against the heretics of France and the adjoining provinces, and we beg, warn, and exhort you, ordering you as you reverence the Holy See, to receive them kindly and treat them well, giving them in this, as in all else, favor, counsel, and aid, that they may fulfil their office." The other bull is addressed "to the Priors and Friars of the Order of Preachers, Inquisitors," and after alluding to the sons of perdition who defend heresy, it proceeds: "Therefore you, or any of you, wherever you may happen to preach, are empowered, unless they desist from such defence (of heretics) on monition, to deprive clerks of their benefices forever, and to proceed against them and all others, without appeal, calling in the aid of the secular arm, if necessary, and coercing opposition, if requisite, with the censures of the Church, without appeal." *

This experiment of investing all the Dominican preachers with legatine authority to condemn without appeal was inconsiderate. It could only lead to exasperation, as we shall see hereafter in Germany, and Gregory soon adopted a more practical expedient. Shortly after the issue of the above bulls we find him ordering the Provincial Prior of Toulouse to select some learned friars who should be commissioned to preach the cross in the diocese, and to proceed against heretics in accordance with the recent statutes. Though here there is still some incongruous mingling of duties, yet Gregory had finally hit upon the device which remained the permanent basis of the Inquisition—the selection by the provincial of certain fitting brethren, who exercised within their prov-

* Ripoll I. 45, 47.—C. 8 § 8, Sexto v. 2.—Gregor. PP. XI. Bull. *Ille humani generis; Licet ad capiendos.*—Potthast No. 9143, 9152, 9235.—Arch. de l'Inq. de Carcassonne (Doat, XXXI. 21, 25).

ince the delegated authority of the Holy See in searching out and examining heretics with a view to the ascertainment of their guilt. Under this bull the provincial appointed Friars Pierre Cella and Guillem Arnaud, whose labors will be detailed in a subsequent chapter. Thus the Inquisition, as an organized system, may be considered as fairly commenced, though it is noteworthy that these early inquisitors in their official papers qualify themselves as acting under legatine and not under papal authority. How little idea there was as yet of creating a general and permanent institution is seen when the Archbishop of Sens complained of the intrusion of inquisitors in his province, and Gregory, by a brief of February 4, 1234, apologetically revoked all commissions issued for it, adding a suggestion that the archbishop should call in the assistance of the Dominicans if he thought that their superior skill in confuting heretics was likely to prove useful.*

As yet there was no idea of superseding the episcopal functions. About this time we find Gregory writing to the bishops of the province of Narbonne, threatening them if they shall not inflict due chastisement on heretics, and making no allusion to the new expedient; and as late as October 1, 1234, Pierre Amiel, Archbishop of Narbonne, exacted an oath from his people to denounce all heretics to him or to his officials, apparently in ignorance of the existence of special inquisitors. Even where the latter were commissioned, their duties and functions, their powers and responsibilities, were wholly undefined and remained to be determined. As they were regarded simply in the light of assistants to the bishops in the exercise of the immemorial episcopal jurisdiction over heresy, it was naturally to the bishops that were referred the questions which immediately arose. Many points as to the treatment of heretics had been settled, not only by Gregory's Roman

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* Potthast No. 9263; cf. No. 9386, 9388.—Guill. de Pod. Laur. c. 43.—Coll. Doat, XXI. 143, 153.—Ripoll I. 66.

Guillem Arnaud generally qualifies himself as acting under commission from the legate, but sometimes as appointed by the Dominican provincial. In several sentences on the Seigneurs de Niort, in February and March, 1236, he acts with the Archdeacon of Carcassonne, both under legatine authority. As yet there was evidently no settled organization (Coll. Doat, XXI. 160, 163, 165, 166).

statutes of 1231, but by the Council of Toulouse in 1229, and those of Béziers and Arles in 1234, which were solely occupied with stimulating and organizing the episcopal Inquisition, yet matters of detail constantly suggested themselves in practice, and a new code of some kind was evidently required to render persecution effective. The suspension of the Inquisition for some years at the request of Count Raymond postponed this, but when the Holy Office resumed its functions in 1241 the necessity became pressing, and the bishops were looked to as the authority from which such a code should emanate. Sentences rendered in 1241 by Guillem Arnaud recite not only that Bishop Raymond of Toulouse acted as assessor, but that the special advice of the Archbishop of Narbonne had been asked. It was evident that general principles for the guidance of the Inquisition must be laid down, and accordingly a great council of the three provinces of Narbonne, Arles, and Aix was assembled at Narbonne in 1243 or 1244, where an elaborate series of canons were framed, which remained the basis of inquisitorial action. These were addressed to "Our cherished and faithful children in Christ the Preaching Friars Inquisitors;" and though the bishops discreetly say, "We write this to you, not that we wish to bind you down by our counsels, as it would not be fitting to limit the liberty accorded to your discretion by other forms and rules than those of the Holy See, to the prejudice of the business; but we wish to help your devotion as we are commanded to do by the Holy See, since you, who bear our burdens, ought to be, through mutual charity, assisted with help and advice in our own business," yet the tone of the whole is that of absolute command, both in the definition of jurisdiction and the instructions as to dealing with heretics. It is highly significant that, in surrendering control over the bodies of their flocks, these good shepherds strictly reserved to themselves the profits to be expected from persecution, for they straitly enjoined upon the new officials, "You are to abstain from these pecuniary penances and exactions, both for the sake of the honor of your Order, and because you will have fully enough other work to attend to." While thus carefully preserving their financial interests, they abandoned what was vastly more important, the right of passing judgment and imposing sentence. Sentences of this period are rendered in the name of the inquisitors, though if the bishop or other notable per-

son took part, as was frequently the case, he is mentioned as an assessor.*

The transfer of the old episcopal jurisdiction over heresy to the Inquisition naturally rendered the connection between bishop and inquisitor a matter of exceeding delicacy, and the new institution could not establish itself without considerable friction, revealed in the varying and contradictory policy adopted at successive periods in adjusting their mutual relations. This renders itself especially noticeable in the development of the Inquisition in the different lands of Europe. In Italy the independence of the episcopate had long since been broken down, and it could offer no efficient opposition to the encroachment on its jurisdiction. In Germany, on the other hand, the lordly prince-bishops looked with jealous eyes on the intruder, and, as we shall see hereafter, never allowed it to obtain a permanent foothold. In France, and more especially in Languedoc, although the prelates were far more independent than those of Italy, the prevalence of heresy required for its suppression a vigilance and an activity far beyond their ability, and they found themselves obliged to sacrifice a portion of their prerogatives in order to escape the more painful sacrifice of performing their long-neglected duties. Yet they did not submit to this without a struggle which may be dimly traced in the successive efforts to establish a *modus vivendi* between the respective tribunals.

We have just seen that at an early period the inquisitors assumed to render sentences in their own names, without reference to the bishops. This invasion of the latter's jurisdiction was evidently too great an innovation to be permanent; indeed, almost immediately we find the Cardinal Legate of Albano instructing the Archbishop of Narbonne to order the inquisitors not to condemn heretics or impose penances without the concurrence of the bishops. This order had to be repeated and rendered more absolute; and the question was settled in this sense by the Council of Béziers in 1246, where the bishops, on the other hand, surrendered the fines to be used for the expenses of the Inquisition, and drew

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* Vaissette, III. Pr. 364, 370-1.—Concil. Tolosan. ann. 1229.—Concil. Biterreus. ann. 1234.—Concil. Arelatens. ann. 1234.—Concil. Narbonn. ann. 1244.—Coll. Doat, XXI. 143, 155, 158.

up another elaborate series of instructions for the inquisitors, "willingly yielding to your devout requests which you have humbly made to us." For a while the popes continued to treat the bishops as responsible for the suppression of heresy in their respective dioceses, and consequently as the real source of jurisdiction. In 1245 Innocent IV., in permitting inquisitors to modify or commute previous sentences, specified that this must be done with the advice of the bishop. In 1246 he orders the Bishop of Agen to make diligent inquisition against heresy under the rules prescribed by the Cardinal Legate of Albano, and with the same power as the inquisitor to grant indulgences. In 1247 he treats the bishops as the real judges of heresy in instructing them to labor sedulously for the conversion of the convict, before passing sentence involving death, perpetual imprisonment, or pilgrimages beyond seas; even with obstinate heretics they are to consult diligently with the inquisitor or other discreet persons whether to pass sentence or to postpone it, as may best subserve the salvation of the sinner and the interest of the faith. Still, in spite of all this, the sentences of Bernard de Caux, from 1246 to 1248, bear no trace of episcopal concurrence. There evidently was jealousy and antagonism. In 1248 the Council of Valence was obliged to coerce the bishops into publishing and observing the sentences of the inquisitors, by interdicting the entry into their own churches to those who refused to do so, showing that the bishops were not consulted as to the sentences and were indisposed to enforce them. In 1249 we find the Archbishop of Narbonne complaining to the pope that the inquisitor Pierre Durant and his colleagues had, without his knowledge, absolved the Chevalier Pierre de Cugunham, who had been convicted of heresy, whereupon Innocent forthwith annulled their proceedings. In fact the pardoning power seems to have been considered as specially vested in the Holy See, and about this period we find several instances in which it is conferred by Innocent on bishops, sometimes with and sometimes without injunctions to confer with the inquisitors. Finally this question of practice was settled by adopting the habit of reserving in every sentence the right to modify, increase, diminish, or abrogate it.*

* Vaissette, III. 452.—Concil. Biterrens. ann. 1246.—Berger, Les Registres

Inasmuch as the inquisitors in 1246 still expected the bishops to defray their expenses, they recognized themselves, at least in theory, as merely an adjunct to the episcopal tribunals. The bishops, moreover, were expected to build the prisons for the confinement of converts, and though they eluded this and the king was obliged to do it, the Council of Albi, held in 1254 by the papal legate, Zoen of Avignon, assumes that the prisons are under episcopal control. The same council drew up an elaborate series of instructions for the treatment of heretics, which marks the termination of episcopal control of such matters, for all subsequent regulations were issued by the Holy See. Even so experienced a persecutor as Bernard de Caux, notwithstanding his neglect of episcopal jurisdiction in his sentences, admitted in 1248 his subordination to the episcopate by applying for advice to Guillem of Narbonne, and the archbishop replied, not only with directions as to special cases, but with general instructions. Indeed, in 1250 and 1251 the archbishop was actively employed in making an inquisition of his own and in punishing heretics without the intervention of papal inquisitors; and a brief of Innocent IV. in 1251 alludes to a previous intention, subsequently abandoned, of restoring the whole business to the bishops. In spite of these indications of reaction the intruders continued to win their way, with struggles, bitter enough, no doubt, in many places, and intensified by the hostility between the secular clergy and the Mendicants, but only to be conjectured from the scattered indications visible in the fragmentary remains of the period. There is an effort to retain vanishing authority in the offer made in 1252 by the bishops of Toulouse, Albi, Agen, and Carpentras to give full authority as inquisitors to any Dominicans who might be selected by the commissioners of Alphonse of Poitiers, only stipulating that their assent must be asked to all sen-

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d'Innocent IV. No. 2043, 3867, 3868.—Arch. de l'Inq. de Carcass. (Doat, XXXI. 68, 74, 75, 77, 80, 152, 182).—Potthast No. 12744, 15805.—MSS. Bib. Nat., fonds latin, No. 9992.—Concil. Valentin. ann. 1248 c. 10.—Baluz. Conc. Narbonn. App. p. 100.

The system devised by the councils of Languedoc became generally current. In 1248 Innocent IV. ordered the Archbishop and Inquisitor of Narbonne to send a copy of their rules of procedure to the Provincial of Spain and Raymond of Pennaforte, to be followed in the Peninsula (Baluz. et Mansi I. 208); and their canons are frequently cited in the manuals of the mediæval Inquisition.

tences, and promising to observe in all cases the rules established by the Inquisition. This question of episcopal concurrence in condemnations evidently excited strong feeling and was long contested with varying success. If previous orders requiring it had not been treated with contempt, Innocent IV. would not have been obliged, in 1254, to reiterate the instructions that no condemnations to death or life-imprisonment should be uttered without consulting the bishops; and in 1255 he conjoined bishop and inquisitor to interpret in consultation any obscurities in the laws against heresy and to administer the lighter penalties of deprivation of office and preferment. This recognition of episcopal jurisdiction was annulled by Alexander IV., who, after some vacillation, in 1257 rendered the Inquisition independent by releasing it from the necessity of consulting with the bishops even in cases of obstinate and confessed heretics, and this he repeated in 1260. Then there was a reaction. In 1262 Urban IV., in an elaborate code of instructions, formally revived the consultation in all cases involving the death-penalty or perpetual imprisonment; and this was repeated by Clement IV. in 1265. Either these instructions, however, were revoked in some subsequent enactment or they soon fell into desuetude, for in 1273 Gregory X., after alluding to the action of Alexander IV. in annulling consultation, proceeds to direct that inquisitors in deciding upon sentences shall proceed in accordance with the counsel of the bishops or their delegates, so that the episcopal authority may share in decisions of such moment. Up to this period the Inquisition seems to have been regarded as merely a temporary expedient to meet a special exigency, and every pope on his accession had issued a series of bulls renewing its provisions. Heresy, however, was apparently ineradicable; the populations had accepted the new institution, and its usefulness had been proved in many ways besides that of preserving the purity of the faith. Henceforth it was considered a permanent part of the machinery of the Church, and its rules were definitely settled. Gregory's decision in favor of concurrent episcopal and inquisitorial action in all cases of condemnation consequently remained unaltered, and we shall see hereafter that when Clement V. endeavored to check the more scandalous abuses of inquisitorial power, he sought the remedy, insufficient enough, in some slight increase of episcopal supervision and responsibility, following in this an effort in the same direction

which had been essayed by Philippe le Bel. Yet when bishop and inquisitor chanced to be on good terms, the slender safeguard thus afforded for the accused was eluded by one of them giving to the other power to act for him, and cases are on record in which the bishop acts as the inquisitor's deputy, or the inquisitor as the bishop's. The question as to whether either of them could render without the other a valid sentence of absolution was one which greatly vexed the canonists, and names of high repute are ranged on either side, with the weight of authority inclining to the affirmative.*

The control of the bishops was vastly increased, at least in Italy, over the vital question of expenditures, when Nicholas IV., in 1288, ordered that all moneys arising from fines and confiscations should be deposited with men selected jointly by the inquisitor and bishop, to be expended only with the advice of the latter, to whom accounts were to be rendered regularly. This was a serious limitation of inquisitorial independence, and it was not of long duration. The bishops soon made use of their supervisory power to demand a share of the spoils under pretext of conducting inquisitions of their own. The quarrel was an unseemly one, and Benedict XI., in 1304, put an end to it by annulling the regulations of his predecessor. The bishops were prohibited from requiring accounts, and these were ordered to be rendered to the papal camera or to special papal deputies.†

If there was this not unnatural vacillation in regulating the delicate relations of these competing jurisdictions, there was none whatever in regard to those between the Inquisition and society at large. Even in its early years of tentative existence and uncertain

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* Concil. Biterrens. ann. 1246.—Arch. de l'Inq. de Carcass. (Doat, XXVII. 7, 156; XXX. 107-9; XXXI. 149, 180, 216).—Vaissette, III. Pr. 479, 496-7.—Martene Thesaur. I. 1045.—Ripoll I. 194.—Innoc. PP. IV. Bull. *Licet ex omnibus*, 30 Mai, 1254.—Concil. Albiens. ann. 1254 c. 24.—Alex. PP. IV. Bull. *Licet ex omnibus*, 20 Jan. 1257; Ejusd. Bull. *Ad capiendum*, ann. 1257.—Clement. PP. IV. Bull. *Licet ex omnibus*, 17 Sept. 1265.—Gregor. PP. X. Bull. *Præ cunctis mentis*, 20 Apr. 1273.—Lib. Sententt. Inq. Tolosan. *passim*.—C. 17 Sext o v. 2.—Eymeric. Direct. Inq. p. 580.—Albert. Repert. Inq. s. v. *Episcopus*.—Zanchini Tract. de Hæret. xv. —Isambert, II. 747.—Pegnæ Comment. in Eymeric, p. 578.

† Wadding. Annal. Minorum ann. 1288, No. 17.—C. 1 Extrav. Commun. v. iii.

organization it developed such abundant promise of usefulness in bringing the secular laws to bear upon heresy that means were sought to give it a fixed organization which should render it still more efficient in its functions both of detection and punishment. The death of Frederic II., in 1250, in removing the principal antagonist of the papacy, offered the opportunity of giving practical enforcement to his edicts, and accordingly, May 15, 1252, Innocent IV. issued to all the potentates and rulers of Italy his famous bull, *Ad extirpanda*, a carefully considered and elaborate law which should establish machinery for systematic persecution as an integral part of the social edifice in every city and every state, though the uncertain way in which bishop, inquisitor, and friar are alternately referred to in it shows how indefinite were still their respective relations and duties in the matter. All rulers were ordered in public assembly to put heretics to the ban, as though they were sorcerers. Any one finding a heretic could seize him, and take possession of his goods. Each chief magistrate, within three days after assuming office, was to appoint, on the nomination of his bishop and of two friars of each of the Mendicant Orders, twelve good Catholics with two notaries and two or more servitors whose sole business was to arrest heretics, seize their goods, and deliver them to the bishop or his vicars. Their wages and expenses were to be defrayed by the State, their evidence was receivable without oaths, and no testimony was good against the concurrent statement of any three of them. They held office for six months, to be reappointed or replaced then, or at any time, on demand of the bishop and friars; they were entitled to one third of the proceeds of all fines and confiscations inflicted on heretics; they were exempt from all public duties and services incompatible with their functions, and no statutes were to be passed interfering with their actions. The ruler was bound when required to send his assessor or a knight to aid them, and every inhabitant when called upon was obliged to assist them, under a heavy penalty. When the inquisitors visited any portion of the jurisdiction they were accompanied by a deputy of the ruler elected by themselves or by the bishop. In each place visited, this official was to summon under oath three men of good repute, or even the whole vicinage, to reveal any heretics within their knowledge, or the property of such, or of any persons holding secret conventicles or differing in life or

manners from the ordinary faithful. The State was bound to arrest all accused, to hold them in prison, to deliver them to the bishop or inquisitor under safe escort, and to execute within fifteen days, in accordance with Frederic's decrees, all judgments pronounced against them. The ruler was further required, when called upon, to inflict torture on those who would not confess and betray all the heretics of their acquaintance. If resistance was made to an arrest, the community where it occurred was liable to an enormous fine unless it delivered up to justice within three days all who were implicated. The ruler was required to have four lists made out of all who were defamed or banned for heresy; this was to be read in public thrice a year and a copy given to the bishop, one to the Dominicans and one to the Franciscans; he was likewise to execute the destruction of houses within ten days of sentence, and the exaction of fines within three months, throwing in prison those who could not pay and keeping them until they should pay. The proceeds of fines, commutations, and confiscations were divisible into three parts, one enuring to the city, one to those concerned in the business, and the remainder to the bishop and inquisitors to be expended in persecuting heresy.

The enforcement of this stupendous measure was provided for with equally careful elaboration. It was to be inscribed ineffaceably in all the local statute-books, together with all subsequent laws which the popes might issue, under penalty of excommunication for recalcitrant officials, and interdict upon the city. Any attempt to alter these laws consigned the offender to perpetual infamy and fine, enforced by the ban. The rulers and their officials were to swear to their observance under pain of loss of office; and any neglect in their enforcement was punishable as perjury with perpetual infamy, a fine of two hundred marks, and suspicion of heresy involving loss of office and disability for all official position in future. Every ruler, within ten days after assuming office, was required to appoint, on the nomination of the bishop or the Mendicants, three good Catholics, who under oath were to investigate the acts of his predecessor and prosecute him for any failure of obedience. Moreover each podestà at the beginning and end of his term was required to have the bull read in all places that might be designated by the bishop and inquisitors, and to erase from the statute-books all laws in conflict with them. At the same time

Innocent issued instructions to the inquisitors to enforce by excommunication the embodiment of this and of the edicts of Frederic in the statutes of all cities and states, and he soon after conferred on them the dangerous power of interpreting, in conjunction with the bishops, all doubtful points in local laws on the subject of heresy.

These provisions are not the wild imaginings of a nightmare, but sober matter-of-fact legislation shrewdly and carefully devised to accomplish a settled policy, and it affords us a valuable insight into the public opinion of the day to find that there was no effective resistance to its acceptance. Before the death of Innocent IV., in 1254, he made one or two slight modifications suggested by experience in its working. In 1255, 1256, and 1257 Alexander IV. revised the bull, explaining some doubts which had arisen, and providing for the enforcement in all cases of the appointment of examiners of rulers going out of office, and in 1259 he reissued the bull as a whole. In 1265 Clement IV. again went over it carefully, making some changes, principally in adding the words "inquisitors" in passages where Innocent had only designated the bishops and friars, thus showing that the Inquisition had during the interval established itself as the recognized instrumentality in the persecution of heresy; and the next year he repeated Innocent's emphatic order to the inquisitors to enforce the insertion of his legislation and that of his predecessors upon the statute-books everywhere, with the free use of excommunication and interdict. This shows that it had not been universally accepted with alacrity, but the few instances which we find recorded of refusal show how generally it was submitted to. Thus in 1256 Alexander IV. learned that the authorities of Genoa were recalcitrant, and he promptly ordered the censure and interdict if they did not comply within fifteen days; and in 1258 a similar course was observed with those of Mantua; while the retention of the bull in the statutes of Florence as late as the recension of 1355, even in the midst of incongruous legislation, shows how literally the papal mandates had been obeyed for a century.*

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* Innoc. PP. IV. Bull. *Ad extirpanda*, ann. 1252 (Mag. Bull. Roman. I. 91).—Ejusd. Bull. *Orthodoxæ*, 1252 (Ripoll I. 208, cf. VII. 28).—Ejusd. Bull. *Ut commissum*, 1254 (Ibid. I. 250).—Ejusd. Bull. *Volentes*, 1254 (Ib. I. 251).—Ejusd. Bull.

In Italy this furnished the Inquisition with a completely organized *personnel* paid and sustained by the State, rendering it a substantive institution armed with all the means and appliances necessary for the thorough performance of its work. Whether the popes ever endeavored to render the bulls operative elsewhere does not appear, but if they did so they failed, for the measure was not recognized as in force beyond the Alps. Yet this was scarce necessary so long as public law and the conservative spirit of the ruling class everywhere rendered it the highest duty of the citizen of every degree to aid in every way the business of the inquisitor, and pious monarchs hastened to enforce the obligation of their subjects. By the terms of the Treaty of Paris all public officials were obliged to aid in the inquisition and capture of heretics, and all inhabitants, males over fourteen years of age and females over twelve, were to be sworn to reveal all offenders to the bishops. The Council of Narbonne in 1229 put these provisions in force; that of Albi in 1254 included inquisitors among those to whom the heretic was to be denounced, and it freely threatened with the censures of the Church all temporal seigneurs who neglected the duty of aiding the Inquisition and of executing its sentences of death or confiscation. The aid demanded was freely given, and every inquisitor was armed with royal letters empowering him to call upon all officials for safe-conduct, escort, and assistance in the discharge of his functions. In a memorial dated about 1317 Bernard Gui says that the inquisitors make under these letters full use of the baillis, sergeants, and other officials, both of the king and of the seigneurs, without which they would accomplish little. This was not confined to France, for Eymerich, writing in Aragon, in-

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Cum venerabilis, 1253 (Mag. Bull. Roman. I. 93-4).—Ejusd. Bull. *Cum in constitutionibus*, 1254 (Pegnæ App. p. 19).—Alex. PP. IV. Bull. *Cum secundum*, 1255 (M. B. R. I. 106).—Ejusd. Bull. *Exortis in agro*, 1256 (Pegnæ App. p. 20).—Ejusd. Bull. *Exortis in agris*, 1256 (Ripoll I. 297).—Ejusd. Bull. *Delecti filii*, 1256 (Ripoll I. 312).—Ejusd. Bull. *Cum vos*, 1256 (Ripoll I. 314).—Ejusd. Bull. *Fœlicis recordationis*, 1257 (M. B. R. I. 106).—Ejusd. Bull. *Implacida*, 1257 (M. B. R. I. 113).—Ejusd. Bull. *Implacida*, 1258 (Potthast No. 17302).—Ejusd. Bull. *Ad extirpanda*, 1259 (Pegnæ App. p. 30).—Clement. PP. IV. Bull. *Ad extirpanda*, 1265 (M. B. R. I. 148-51).—Ejusd. Bull. *Ad extirpanda*, 1266 (Pegnæ App. p. 43).—Archivio di Firenze, Riformagioni, Classe II. Distinzione, 1, No. 14.

About 1330 Bernard Gui (Practica P. IV.—Coll. Doat, XXX.) quotes the provisions of the bull as still among the privileges of the Italian inquisitors.

forms us that the first act of the inquisitor on receiving his commission was to exhibit it to the king or ruler, and ask and exhort him for these letters, explaining to him that he is bound by the canons to give them if he desires to avoid the numerous penalties decreed in the bulls *Ad abolendam* and *Ut inquisitionis*. His next step is to exhibit these letters to the officials and swear them to obey him in his official duties to the utmost of their power. Thus the whole force of the State was unreservedly at command of the Holy Office. Not only this, indeed, but every individual was bound to lend his aid when called upon, and any slackness of zeal exposed him to excommunication as a fautor of heresy, leading after twelve months, if neglected, to conviction as a heretic, with all its tremendous penalties.*

The right to abrogate any laws which impeded the freest exercise of the powers of the Inquisition was likewise arrogated on both sides of the Alps. When, in 1257, Alexander IV. heard with indignant emotion that Mantua had adopted certain damnable statutes interfering with the absolutism of the Inquisition, he straightway ordered the Bishop of Mantua to investigate the matter, and to annul anything which should impede or delay its operations, enforcing his action by excommunicating the authorities and laying an interdict on the city. This was simply in furtherance of the bull *Ad extirpanda*, but in 1265 Urban IV. repeated the order and made it universally applicable, and it was carried into the canon law as the expression of the undoubted rights of the Church. This rendered the Inquisition virtually supreme in all lands, and it became an accepted maxim of law that all statutes interfering with the free action of the Inquisition were void, and those who enacted them were to be punished; where such laws existed the inquisitor

* Bernard. Guidon. Gravamina (Coll. Doat, XXX. 90 sqq.).—Concil. Narbonn. ann. 1229 c. 1, 2.—Concil. Albiens. ann. 1254 c. 3, 5, 8.—Archives de l'Inq. de Carcass. (Doat, XXX. 110–11, 127; XXXI. 250).—Vaissette, III. Pr. 528–9, 536.—Archivio di Napoli, Registro 6, Lett. D. fol. 180.—Eymerici Direct. Inquis. pp. 390–1, 560–1.—Bernardi Guidon. Practica P. IV. (Doat, XXX.).

It was sometimes a work of some labor and time for the inquisitor to obtain his royal letters-patent. When, in 1269, the Franciscans Bertrand de Roche and Ponce des Rives were appointed inquisitors of Forcalquier, they were obliged to travel to Palermo, where Charles of Anjou happened to be residing, and whence he gave them letters, August 4, 1269, to his seneschal and other officials.—Archivio di Napoli, Registro 6, Lett. D, fol. 180.—Cf. Regist. 20, Lett. B, fol. 91.

was instructed to have them submitted to him, and if he found them objectionable the authorities were obliged to repeal or modify them. It was not the fault of the Church if a bold monarch like Philippe le Bel occasionally ventured to incur divine vengeance by protecting his subjects.*

Beyond the Alps there was no legal responsibility admitted, as in Italy, to defray the expenses of the Inquisition by the State. This is a subject which will be treated more fully hereafter, and meanwhile I may briefly state that royal generosity was amply sufficient to keep the organization in effective condition. Its necessary expenses were exceedingly small. The Dominican convents furnished buildings in which to hold its tribunals. The public officials were bound under royal order and the tremendous penalties involved in suspicion of heresy to render service whenever called upon. If the bishops had neglected the duty of establishing and maintaining prisons, the royal zeal had stepped in, had built them and had kept them up. In 1317 we learn that during the past eight years the king had spent the large sum of six hundred and thirty livres tournois on that of Toulouse alone, and he also regularly paid the jailers. Besides this, the inquisitors, whenever they needed aid and counsel, were empowered to summon experts to attend them and to enforce obedience to the summons. There was no exception of dignity or station. All the learning and wisdom of the land were made subservient to the supreme duty of suppressing heresy and were placed gratuitously at the service of the Inquisition; and any prelate who hesitated to render assistance of any kind when called upon was threatened in no gentle terms with the full force of the papal vengeance.†

That the powers thus conferred on the inquisitors were real and not merely theoretical we see in 1260 in the case of Capello di Chia, a powerful noble of the Roman province, who incurred the suspicion of heresy, was condemned, proscribed, and his lands confiscated. He refused to submit, when Frà Andrea, the inquisitor, called for assistance on the citizens of the neighboring town of

* Mag. Bull. Roman. I. 118.—C. 9 Sexto v. 1.—Zanchini Tract. de Hæret. c. xxxi.—Cf. Eymerici Direct. Inq. p. 561.—Bernardi Comens. Lucerna Inquisit. s. v. *Statutum*.

† Bernard. Guidon. Gravam. (Doat, XXX. 107-9).—Alex. PP. IV. Bull. *Cupientes*, 15 Apr. 1255; Ejusd. Bull. *Exortis in agro*, 15 Mar. 1256.

Viterbo, and they obeyed him by raising an army with which he marched to besiege Capello in his castle of Colle-Casale. Capello had craftily conveyed his lands to a Roman noble named Pietro Giacomo Surdi, and the pious enterprise of the Viterbians was arrested by a command from the senator of Rome forbidding violence to the property of a good Catholic Roman citizen. Then Alexander IV. intervened, ordering Surdi to withdraw from the quarrel, as his claim to the castle was null and void. He likewise commanded the senator to abandon his indefensible position, and warmly thanked the Viterbians for the zeal and alacrity with which they had obeyed the summons of Frà Andrea. Frà Andrea, in fact, had only exercised the power which Zanghino declares to be inherent in the office of inquisitor, of levying open war against heretics and heresy.*

In the exercise of this almost limitless authority, inquisitors were practically relieved from all supervision and responsibility. Even a papal legate was not to interfere with them or inquire into heresy within their inquisitorial districts. They were not liable to excommunication while in discharge of their duties, nor could they be suspended by any delegate of the Holy See. If such a thing were attempted, the excommunication or suspension was pronounced void, unless, indeed, it was issued by special command of the pope. Already, in 1245, they were empowered to absolve their familiars for any excesses, and in 1261 they were authorized to absolve each other from excommunication for any cause; which, as each inquisitor usually had a subordinate associate ready to perform this office for him, rendered them virtually invulnerable. Moreover, they were released from all obedience to their provincials and generals, whom they were even forbidden to obey in anything relating to the business of their office, and they were secured from any attempt to undermine them with the curia by the enormous privilege of being able to go to Rome at any time and to stay there as long as they might see fit, even in spite of prohibition by provincial or general chapters. At first their commissions were thought to expire with the death of the pope who issued them, but in 1267 they were declared to be continuously valid.†

* Pegnæ Append. ad Eymeric. pp. 37-8.—Zanchini Tract. de Hæret. c. xxxvii.

† Arch. Nat. de France, J. 431, No. 23.—Innoc. PP. IV. Bull. *Devotionis*, 2 Mai.

The question of the removability of inquisitors was one which bore directly upon their subordination or independence, and was the subject of much conflicting legislation. When the power of appointment was first conferred upon the provincials it carried with it authority to remove and replace them after consultation with discreet brethren; and in 1244 Innocent IV. declared that the provincials and generals of the Mendicant Orders had full power to remove, revoke, supersede, and transfer all members of their orders serving as inquisitors, even when commissioned by the pope. Some ten years later the vacillating policy of Alexander IV. indicates an earnest effort on the part of the inquisitors to obtain independence. In 1256 he asserted the removing power of the provincials; July 5, 1257, he withdrew their power, and December 9, of the same year, he reaffirmed it in his bull *Quod super nonnullis*, which was repeatedly reissued by himself and his successors. Later popes issued conflicting orders, until at length Boniface VIII. decided in favor of the removing power; but the inquisitors claimed that it could only be exercised for cause and after due trial, which practically reduced it to a nullity. It is true that in the reformatory effort of Clement V. *ipso facto* excommunication, removable only by the pope, was provided for three crimes of inquisitors—falsely prosecuting or neglecting to prosecute for favor, enmity, or profit, for extorting money, and for confiscating church property for the offence of a clerk—but these provisions, although they called forth the earnest protest of Bernard Gui, only amounted to a declaration of what was desirable, and were of no practical effect.*

1245 (Coll. Doat, XXXI. 70).—Berger, Registres d'Innoc. IV. No. 1963.—Ripoll I. 132; II. 594, 610, 644.—Alex. PP. IV. Bull. *Ut negotium*, 5 Mart. 1261.—Urbani PP. IV. Bull. *Ut negotium*, 4 Aug. 1262.—Mag. Bull. Roman. I. 116, 120, 126, 189, 267, 420.—C. 10 Sexto v. 2.—Potthast No. 13057, 18389, 18419, 19559.—Bern. Guidon. Practica P. IV. (Doat, XXX.).—Eymeric. Direct. Inquis. pp. 136, 137.

It is curious that the question whether the commission of an inquisitor did not expire with the death of the appointing pope was still considered in doubt as late as 1290, when it was settled in favor of permanence by Nicholas IV. in the bull *Ne aliqui* (Potthast No. 23302). In the earlier period Alexander IV. shortly after his accession, in 1255, considered it necessary to renew the commission of even so distinguished an inquisitor as Rainerio Saccone (Ripoll I. 275).

* Coll. Doat, XXXI. 73; XXXII. 15, 105.—Alex. PP. IV. Bull. *Odore suavi*, 13

The Franciscans endeavored to reduce their inquisitors to subjection by the expedient of issuing commissions for a limited term. Thus in 1320 the General Michele da Cesena adopted the term of five years, which seems to have long continued the rule, for in 1375 we see Gregory XI. requesting the Franciscan general to keep in office as inquisitor of Rome Frà Gabriele da Viterbo on account of his eminent merits. In 1439 a commission as inquisitor of Florence, issued to Frà Francesco da Michele, to take effect on the expiration of the term of the incumbent, Frà Jacopo della Biada, indicates that appointments were still for specified times, although in 1432 Eugenius IV. had conferred on the Franciscan general, Guglielmo di Casale, full power of appointment and removal. The Dominicans do not seem to have adopted this expedient, and no precautions of any kind were available to enforce subordination and discipline in view of the constant interference of the Holy See, which doubtless could always be obtained by those who knew how to approach it. Commissions were continually issued directly by the pope, and those who held them seem not to have been removable by any one else. Even when this was not done, it mattered little that the popes admitted the power of the provincials to remove, when they interposed to nullify its exercise. In 1323 John XXII. gave to Frà Piero da Perugia, inquisitor of Assisi, letters which protected him from suspension and removal. In 1339 we happen to hear of Giovanni di Borgo removed by the Franciscan general and replaced by Benedict XII. Even more subversive of discipline was the case of Francisco de Sala, appointed by the provincial of Aragon, removed by his successor, and reinstated by Martin V. in 1419, with a provision of inamovability by any superior of his Order. Yet in 1439 Eugenius IV., and in 1474 Sixtus IV. renewed the provisions of Clement IV. rendering inquisitors removable at will by both generals and provincials; and in 1479, Sixtus IV., to impress them with some sense of responsibility, adopted the expedient of requiring all complaints against them to be brought before the general of the Order to

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Mai. 1256; Ejusd. Bull. *Catholicæ fidei*, 15 Jul. 1257; Ejusd. Bull. *Quod super nonnullis*, 9 Dec. 1257; Ejusd. Bull. *Meminimus*, 18 Apr. 1258.—Clem. PP. IV. Bull. *Licet ex omnibus*, 30 Sept. 1265.—C. 1, 2, Clementin. v. 2.—Bern. Guidon. Gravam. (Doat, XXX. 114).

which they belonged, to whom was confided power of punishment up to removal.*

The natural result of this conflicting legislation was that the inquisitors held themselves accountable to their superiors only for their actions as friars and not as inquisitors; in the latter capacity they acknowledged responsibility only to the pope, and they asserted that the power of removal could only be exercised in cases of inability to act through sickness, age, or ignorance. Their vicars and commissioners they held to be completely beyond any jurisdiction but their own, and any attempt on the part of a provincial to remove such a subordinate was to be met with a prosecution for suspicion of heresy, as an impeding of the Inquisition, to be followed by excommunication, when, if this was endured for a year, it was to be ended by condemnation for heresy. Men armed with these tremendous powers, and animated with this resolute spirit, were not lightly to be meddled with. The warmth with which Eymerich argues the subject suggests the character of the struggle continually going on between the provincials and their appointees, and the conclusions to which he arrives indicate the temper in which the latter vindicated their independence. The grave abuses and disorders to which this led obliged John XXIII. to intervene and declare that the inquisitors should in all things be subject and obedient to their superiors. The Great Schism, however, had weakened the papal authority, and this injunction met with scant respect, so that one of the first utterances of Martin V., in 1418, when the Church was reunited at Constance, was to repeat the order, and to prescribe implicit obedience to it. Yet, as in the matter of removals, the insatiable greed of the curia was a fatal obstacle to the enforcement of subordination, for those who were commissioned directly by the pope could not be expected to endure subjection to the officials of their Orders.†

From Eymerich's remarks we see that an inquisitor was bound

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* Wadding. ann. 1323, No. 17; ann. 1327, No. 5; ann. 1339, No. 1; ann. 1347, No. 10, 11; ann. 1375, No. 30; ann. 1432, No. 10, 11; ann. 1474, No. 17-19.—Archivio di Firenze, Prov. del Convento di S. Croce 26 Ott. 1439.—Ripoll II. 324, 421, 570-1.—Sixti PP. IV. Bull. *Sacri*, 16 Jul. 1479, § 11.

† Eymeric. pp. 540-9, 553.—Archivio di Firenze, Prov. del. Conv. di. S. Croce, 16 Apr. 1418.

to have little hesitation in prosecuting his superior. His jurisdiction, in fact, was almost unlimited, for the dread suspicion of heresy brought, with few exceptions, all mankind to a common level, and suspicion of heresy was to be technically inferred from anything which affected the dignity or crossed the purposes of those who carried on the Inquisition. Even the jealously-guarded right of asylum in the churches was waived in its favor, and the immunities of the Mendicant Orders gave them no exemption from its jurisdiction. Kings, themselves, were subject to this jurisdiction, though Eymerich discreetly observes that in their case it is more prudent to inform the pope and await his instructions. Yet one exception there was. The episcopal office still retained enough of its earlier dignity to render its possessor exempt unless the inquisitor was furnished with special papal letters. It was his duty, however, in case a bishop was suspected of vacillating in the faith, to collect with diligence all the evidence procurable, and to forward it to Rome for examination and decision—a duty in the exercise of which he could render himself abundantly disagreeable, and even dangerous. The choleric John XXII., in 1327, introduced another exemption when provoked by the arrogance of the Sicilian inquisitor, Matthieu de Pontigny, who dared to excommunicate Guillaume de Balet, archdeacon of Fréjus, papal chaplain and representative of the Avignonese papacy in the Campagna and Maritima. The angry pope issued a decretal forbidding all judges and inquisitors to attack in any way the officials and nuncios of the Holy See without special letters of authority —but the mere audacity of the attempt shows the height of presumption to which the members of the Holy Office had attained. That laymen learned to address them as "your religious majesty" shows the impression made on the popular mind by their irresponsible supremacy.*

If bishops were exempt from judgment by the Inquisition they were not released from obedience to the inquisitors. In the ordinary papal commission issued to the latter, archbishops, bishops,

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* Eymerici Direct. Inquis. p. 559.—Greg. PP. X. Bull. 20 Apr. 1273 (Martene Thes. V. 1821).—Zanchini de Hæret. c. viii.—Johann. PP. XXII. Bull. *Ex parte vestra*, 3 Jul. 1322 (Wadding. III. 291).—C. 16 Sexto v. 2.—C. 3 Extrav. Commun. v. 3.—Arch. de l'Inq. de Carcassonne (Doat, XXVII. 204).

abbots, and other prelates are commanded to obey them in all concerning their office, under pain of excommunication, suspension, and interdict. That this was not a mere idle form is manifest by the tone of arrogant domination in which the inquisitors issued their commands to episcopal officials. Though the papal superscription to the bishop was "venerable brother" and to the inquisitor "cherished son," yet the inquisitors held that they were superior to the bishops, as being direct delegates of the Holy See, and that if any one were cited simultaneously by a bishop and an inquisitor he must first attend to the summons of the latter. The inquisitor was to be obeyed as the pope himself, and this supremacy included the bishop. This formed part of the papal policy, for the inquisitor was a convenient instrument to reduce the episcopate to subjection. Thus in 1296 Boniface VIII., in giving directions to the bishops to suppress certain irregular and unauthorized hermits and mendicants, enclosed copies of the bull to the inquisitors with instructions to stimulate the bishops to their duty and to report to him all who showed themselves negligent. In spite of the assumed superiority of the inquisitor, however, the Inquisition was very commonly used as a stepping-stone to the episcopate. It is not easy to set bounds to the sources of influence which the office placed within reach of an ambitious man, and this influence was constantly employed to procure promotion into the ranks of the hierarchy. Instances of this are too frequent to be specified, commencing with the earliest inquisitors, Frà Aldobrandino Cavalcanti of Florence, who became Bishop of Viterbo, while his successor, Frà Ruggieri Calcagni, in 1245, was rewarded with the bishopric of Castro in the Maremma. I need only refer to the case of Florence, in 1343, where the inquisitor, Frà Andrea da Perugia was advanced to the episcopate and was succeeded by Frà Pietro di Aquila, who in 1346 was made Bishop of Santangelo dei Lombardi. His successor was Frà Michele di Lapo, and in 1350 we find the Signiory writing to the pope with the request that he be placed in the bishopric of Florence, which had become vacant. The office also afforded opportunities of promotion within the Orders which were not neglected. Thus in a list of Dominican provincials of Saxony in the latter half of the fourteenth century, three who occupied that post in succession from 1369 to 1382, Walther Kerlinger, Hermann Helstede, and Heinrich

von Albrecht, are all described as having been previously inquisitors.*

It is not to be imagined that this gigantic structure which overshadowed Christendom was allowed to establish itself wholly without opposition, despite the favor of popes and kings. When we come to consider the details of its history we shall find numerous cases of popular resistance, desperate and isolated struggles, crushed remorselessly before revolt could so extend as to become dangerous. It required, indeed, courage to foolhardiness for any one to raise hand or voice against an inquisitor, no matter how cruel or nefarious were his actions. Under the canon law, any one, from the meanest to the highest, who opposed or impeded in any way the functions of an inquisitor, or gave aid or counsel to those who did so, became at once *ipso facto* excommunicate. After the lapse of a year in this condition he was legally a heretic to be handed over without further ceremony to the secular arm for burning, without trial and without forgiveness. The awful authority which thus shrouded the inquisitor was rendered yet more terrible by the elasticity of definition given to the crime of impeding the Holy Office and the tireless tenacity with which those guilty of it were pursued. If friendly death came to shield them, the Inquisition attacked their memories, and visited their offences upon their children and grandchildren.†

All unorganized efforts of insubordination were easily repressed. Had the bishops united in resistance, they could readily have prevented the serious encroachment on their jurisdiction and influence, and have saved their flocks from the horrors in store for them. There was no unity of action, however, among the prelates. Some

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* Pegnæ App. ad. Eymeric. pp. 66–7. — Arch. de l'Inq. de Carcass. (Doat, XXXII. 143, 147).—Eymeric. Direct. Inq. pp. 537–8.—Albert. Repert. Inq. Ed. 1494, s. v. *Delegatus*.—Franz Ehrle, Archiv für Litteratur- u. Kirchengeschichte, 1886, p. 158.—Lami, Antichità Toscane, p. 583.—Archivio di Firenze, Riformagioni, Classe V. No. 129, fol. 46, 62–70.—Martene Ampl. Collect. VI. 344.

† MSS. Bib. Nat., fonds latin, No. 4270, fol. 146. In the trial of Friar Bernard Délicieux, in 1319, it was held that he was guilty of "impeding" the Inquisition because, among other acts, he had been concerned in enlarging somewhat the powers of the agents appointed by the city of Albi to prosecute their appeal to Pope Clement V. against their bishop and inquisitor (Ib. fol. 165).

of them were honest fanatics who welcomed the Holy Office and assisted it in every way. Others were indifferent. Multitudes, engrossed in worldly cares and quarrels, were rather glad to be relieved of duties which were onerous and for which they had neither learning nor leisure. If any foresaw the end from the humble beginning, none dared to raise a voice against what was everywhere regarded by pious souls as supplying the most urgent need of the time. Still, that the episcopate at large looked with disfavor on these new functions and activities of the upstart Mendicants there can be no doubt, although jealousy could only manifest itself through a futile pretence to discharge the neglected duties in which the Mendicants had been summoned to replace them. Accordingly we find a certain bustling show of activity in ordering perquisition against heretics by the old device of the synodal witnesses, in the Council of Tours in 1239, that of Béziers in 1246, that of Albi in 1254; while that of Lille (Venaissin) in 1251 made a bolder effort to recover lost ground by not only ordering the bishops to make searching inquisition in their dioceses, but by demanding from the Inquisition the surrender of all its records to the Ordinaries; and when this failed the Council of Albi, in 1254, made a fruitless effort to obtain duplicate copies. The spirit in which the rival tribunals regarded each other is seen in the complaint of an inquisitor, not long after 1250, that heretics were encouraged and rendered audacious by the constant attacks and detraction to which the inquisitors were exposed, as being fools, and negligent and slow, and incapable of bringing any affair to a termination, as punishing the innocent and allowing the guilty to escape. These slanders, he says, proceed from judges, both secular and ecclesiastical, who profess great zeal for the extermination of heresy, but who are really impelled by covetousness for bribes, or who are secretly inclined to heresy, or have friends or relatives who are heretics or suspected of heresy. Evidently there was little love lost between the old organization and the new.*

If any thought existed of combined opposition, outside of Ger-

* Concil. Turonens. ann. 1239 c. 1.—C. Biterrens. ann. 1246 c. 1.—C. Albiens. ann. 1254 c. 1, 21. — C. Insulan. ann. 1251 c. 2.—Tract. de Paup. de Lugduno (Martene Thesaur. V. 1793).

many, it might well be thrown aside as impracticable after the spectacle of the defeat of the University of Paris on its own ground by the Mendicants. The jealousy perpetually fed by the constant encroachments of the inquisitors could only find vent in obscure squabbles wherein the final decision of the Holy See could always be confidently reckoned upon as against the episcopate. In 1330 we see the inquisitor, Henri de Chamay, complaining to John XXII. that the Bishop of Maguelonne was interfering with the free exercise of his office in Montpellier, on the ground of certain papal privileges granted him, when the pope at once instructs him to proceed without hesitation and to disregard the bishop's pretensions. Such a decision was a foregone conclusion, as the Archbishop of Narbonne and all his suffragans found in 1441, when they united in addressing Eugenius IV., complaining of the exorbitant pretensions of the Inquisition, and asking him to delay action till they should send him full details. Without waiting to hear their specific charges, he replied that the inquisitor had already accused them of impeding him in his office and with vexing him with proceedings and suits at law. There is no business, he added, of greater importance to the Church than the destruction of heresy, and no way to win his favor more efficacious than by aiding the Inquisition. It had been organized for the purpose of relieving bishops of a portion of their cares, and any interference with it would be visited with his displeasure. In the present case, for the sake of concord, the inquisitor would revoke the grievances complained of, and the pope pronounced all suits against him quashed and extinguished. Evidently in any contest the odds were too great against the episcopate, and the danger of systematic opposition too real, to render any organized antagonism feasible. How completely the papacy regarded the Inquisition as an instrumentality for furthering its schemes of aggrandizement is seen when, on the outbreak of the Great Schism, inquisitors were required to take a formal feudal oath of fidelity to the pope appointing him and to his successors.*

With so little to check and so much to stimulate, the spread of

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* Arch. de l'Inq. de Carcass. (Doat, XXXV. 85, 184).—Ripoll II. 299, 311; III. 135.

the Inquisition was rapid throughout most of the lands of Christendom. I shall have occasion hereafter to trace its vicissitudes in the principal centres of its activity, and need here only indicate the limits of its extension.

The northern nations were too far removed from the focus of heresy to be exposed to aberrations from the faith at the time when papal supremacy found its most useful instruments in the Mendicant inquisitors. Consequently the papal Inquisition cannot be said to have had an existence in the British Islands, Denmark, or Scandinavia. The edicts of Frederic II. had no currency there; and when, in 1277, Robert Kilwarby, Archbishop of Canterbury, and the masters of Oxford denounced certain errors springing from the Averrhoist doctrines; when, in 1286, Archbishop Peckham condemned the heresy of Friar Richard Crapewell, and in 1368 Archbishop Langham denounced as heretical thirty articles of scholastic speculation, even had there been martyrs ready there were no laws under which to punish them, although lawyers had sought to introduce the penalty of the stake, and it had once been inflicted by a council of Oxford, in 1222, on a clerk who had apostatized to Judaism. We shall see hereafter that in the affair of the Templars the papal Inquisition was found necessary to procure condemnation, but even then it was so opposed to the character of English institutions that it worked defectively and disappeared as soon as the occasion for its temporary introduction passed away. When Wickliff came and was followed by Lollardry, the English conceptions of the relations between Church and State had already become such that there was no thought of applying to Rome for a special tribunal with which to meet the threatened danger. The statute of May 25, 1382, directs the king to issue to his sheriffs commissions to arrest Wickliff's travelling preachers, and aiders and abettors of heresy, and to hold them till they justify themselves "*selonc reson et la ley de seinte esglise*;" and, in the following July, royal letters ordered the authorities of Oxford to make inquisition for heresy throughout the university. The weakness of Richard II. allowed the Lollards to become a powerful political as well as religious party, but their chances disappeared with the revolution which placed Henry IV. on the throne. The support of the Church was a necessity to the new dynasty, which lost no time in earning its gratitude. After the burning of Sawtré by a

royal warrant confirmed by Parliament, in 1400, the statute "*de hæretico comburendo*" for the first time inflicted in England the death-penalty as a settled punishment for heresy. It restricted preaching to the beneficed curates and those *ex officio* privileged, it forbade the dissemination of heretical opinions and books, empowered the bishops to seize all offenders and hold them in prison until they should purge themselves or abjure, and ordered the bishops to proceed against them within three months after arrest. For minor offences the bishops were empowered to imprison during pleasure and fine at discretion—the fine enuring to the royal exchequer. For obstinate heresy or relapse, involving under the canon law abandonment to the secular arm, the bishops and their commissioners were the sole judges, and, on their delivery of such convicts, the sheriff of the county or the mayor and bailiffs of the nearest town were obliged to burn them before the people on an eminence. Henry V. followed this up, and the statute of 1414 established throughout the kingdom a sort of mixed secular and ecclesiastical inquisition for which the English system of grand inquests gave especial facilities. Under this legislation burning for heresy became a not unfamiliar sight to English eyes, and Lollardry was readily suppressed. In 1533 Henry VIII. repealed the statute of 1400, while retaining those of 1382 and 1414, and also the penalty of burning alive for contumacious heresy and relapse, and the dangerous admixture of politics and religion rendered the stake a favorite instrument of statecraft. One of the earliest measures of the reign of Edward VI. was the repeal of this law, as well as of those of 1382 and 1414, together with all the atrocious legislation of the Six Articles. With the reaction under Philip and Mary came a revival of the sharp laws against heresy. Scarce had the Spanish marriage been concluded when an obedient Parliament reenacted the legislation of 1382, 1400, and 1414, which afforded ample machinery for the numerous burnings which followed. The earliest act of the first Parliament of Elizabeth was the repeal of the legislation of Philip and Mary and of the old statutes which it had revived; but the writ *de hæretico comburendo* had become an integral part of English law and survived until the desire of Charles II. for Catholic toleration caused him, in 1676, to procure its abrogation and the restraint of the ecclesiastical courts "in cases of atheism, blasphemy, heresy, and schism and other damnable doctrines

and opinions" to the ecclesiastical remedies of "excommunication, deprivation, degradation, and other ecclesiastical censures not extending to death." Scotland was more tardy than England in humanitarian development, but the last execution for heresy in the British Islands was that of a youth of eighteen, a medical student named Aikenhead, who was hanged in Edinburgh in 1696.*

In Ireland the fiery temper of the Franciscan, Richard Ledred, Bishop of Ossory, led him into a prolonged struggle with presumed heretics—the Lady Alice Kyteler, accused of sorcery, and her accomplices. So little was known in Ireland of the laws concerning heresy that at first the secular officials refused contemptuously to take the oath prescribed by the canons to aid inquisitors in their persecuting duties, but Ledred finally obliged them to do so and had the satisfaction of burning some of the accused in 1325. He incurred, however, the enmity of the chief personages of the island, leading to a counter-charge of heresy against himself. For years he was obliged to live in exile, and it was not till 1354 that he was able to reside quietly in his diocese, though in 1335 we find Benedict XII. writing to Edward III., deploring the absence in England of so useful an institution as the Inquisition, and urging him to order the secular officials to lend efficient aid to the pious Bishop of Ossory in his struggles with the heretics, of whom the most exaggerated description is given. Even Alexander, Archbishop of Dublin, in 1347, was declared to have been a fautor of heresy because he interfered with Ledred's violent proceedings; and, in 1351, his successor, Archbishop John, was directed to take active measures to punish those who had escaped from Ossory and had taken refuge in his see.†

It is true that when the Hussite troubles became alarming and

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* D'Argentré, Collect. Judic. I. i. 185, 234.—Harduin. Concil. VII. 1065-8, 1864.—Capgrave's Chronicle, ann. 1286.—Nic. Trivetti Chron. ann. 1222 (D'Achery III. 188).—Bracton. Lib. III. Tit. ii. cap. 9, § 2.—Mirror of Justice, cap. i. § 4, cap. II. § 22; cap. IV. § 14.—5 Rich. II. c. 5.—Rymer's Fœdera, VII. 363, 447, 458.—2 Henr. IV. c. 15.—Concil. Oxoniens. ann. 1408 c. 13.—2 Henr. V. c. 7.—25 Henr. VIII. c. 14.—1 Edw. VI. c. 12, § 3.—1 Eliz. c. 1, § 15.—29 Car. II. c. 9.—London Athenæum, May 31, 1873; Nov. 29, 1884.

† Wright, Proceedings against Dame Alice Kyteler, Camden Soc. 1843.—Wadding. Annal. ann. 1317, No. 56; ann. 1335, No. 5, 6.—Theiner Monument. Hibern. et Scotor. No. 531-2, p. 269; No. 570-1, p. 286; No. 599, p. 299.

there was danger that the disaffection might spread to the North, Martin V., in 1421, authorized the Bishop of Sleswick to appoint a Franciscan, Friar Nicholas John, as inquisitor for Denmark, Norway, and Sweden, but there is no trace of his activity in those regions, and the Inquisition may be considered as non-existent there.*

As the mediæval missions for the conversion of schismatics and heathen were exclusively Dominican and Franciscan, the churches which they built up, however slender in membership, were nevertheless completely equipped with apparatus for preserving the orthodoxy of converts, and thus we read of Inquisitions in Africa and Asia. Friar Raymond Martius is honored as the founder of the Inquisition in Tunis and Morocco. About 1370 Gregory XI. appointed the Dominican Friar John Gallus as inquisitor in the East, who in conjunction with Friar Elias Petit planted the institution, as we are told, in Armenia, Russia, Georgia, and Wallachia, while Upper Armenia was similarly provided by Friar Bartolomeo Ponco. On the death of Friar Gallus, Urban VI., about 1378, applied to the Dominican general to select three brethren to serve as inquisitors, one in Armenia and Georgia, one in Greece and Tartary, and one in Russia and the two Wallachias; and in 1389 one of these, Friar Andreas of Caffa, obtained the privilege of appointing an associate in his extensive province of Greece and Tartary. In the fourteenth century an inquisitor seems to have been regarded as a necessary portion of the missionary outfit. Even in the fabled Ethiopian empire of Prester John we hear of an Inquisition founded in Abyssinia by the Dominican Friar, St. Pantaleone, and another in Nubia by Friar Bartolomeo de Tybuli, who was also honored as a saint in those regions. Grotesque as all this sounds, one cannot help honoring the unselfish zeal of the men who thus devoted themselves to the diffusion of the gospel among barbarous Gentiles, and one can find comfort in the conviction that their Inquisitions were comparatively harmless so long as they were not backed by the terrible laws of a Frederic II. or of a St. Louis.†

Even the decaying fragments of the Kingdom of Jerusalem

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* Wadding. Annal. ann. 1421, No. 1.

† Paramo, pp. 252–3.—Monteiro, Historia da Santo Inquisição, P. I. Lib. 1. c. 59.—Ripoll II. 299, 310; III. 9, 110.

could not be allowed burial without an inquisitor to attend the obsequies. The misfortunes of war, according to Nicholas IV., the first Franciscan pope, gave opportunity for the growth of heresy and Judaism. Therefore, in 1290, he granted full powers to his legate, Nicholas, Patriarch of Jerusalem, to appoint inquisitors, with the advice of the Mendicant provincials. This was accordingly done, but the fatherly care of Nicholas was a trifle tardy. The capture of Acre, May 19, 1291, drove the Christians finally from the Holy Land, and the career of the Syrian Inquisition was therefore of the briefest. It was revived, however, in 1375, by Gregory XI., who empowered the Franciscan provincial of the Holy Land to act as inquisitor in Palestine, Syria, and Egypt, to check the too prevalent apostasy of the Christian pilgrims who continued to flock to those regions.*

It is not to be supposed that the triumph of the Inquisition over the bishops gave to it a monopoly of persecution. The ordinary episcopal jurisdiction remained intact. About 1240 we see the Bishop of Toulouse and his provost conducting, without the aid of an inquisitor, an inquest for heresy upon the powerful seigneurs de Niort. Bishops who were zealous were frequently seen co-operating with inquisitors in the examination of heretics, as well as holding their own inquisitions. Thus, in a number of cases occurring at Albi in 1299, we find the trials held in the episcopal palace before the bishop, assisted sometimes by Nicholas d'Abbeville, inquisitor of Carcassonne, and sometimes by Bertrand de Clermont, inquisitor of Toulouse, and sometimes by both. At first, as we have seen, the inquisitor was only the assistant of the bishop, and the latter was by no means relieved of his duties and responsibilities in the extermination of heresy. In fact the bishops themselves sometimes appointed inquisitors of their own in order to operate more efficiently; and the names of such functionaries acting for the archbishops of Narbonne appear in documents of 1251 and 1325. There was nothing, moreover, to prevent a zeal-

* Wadding. ann. 1290, No. 2; ann. 1375, No. 27, 28.

It is worthy of note that in the Latin kingdom of Jerusalem heresy seems to have been justiciable by the lay court, and the heretic knight was entitled to be judged by his peers.—Assises de Jerusalem, Haute Court, c. 318 (Ed. Kausler, Stuttgart, 1838, p. 367–8).

ous prelate, who thought less of the dignity of his order than the suppression of heresy, from accepting a commission as inquisitor from the pope, as was the case with Guillem Arnaud, Bishop of Carcassonne, who, during his episcopate, lasting from 1249 to 1255, presided over the tribunal of Carcassonne with an energy that Dominicans might have envied.*

Yet, as the Inquisition achieved its independence of the episcopate, two concurrent jurisdictions could hardly coexist without jarring, even when both were animated by the desire of harmony: when jealousy and rivalry were strong, quarrels were inevitable. It was even hinted that bishops, desiring to preserve friends from the zeal of the inquisitors, would prosecute them in their own courts to preserve them from the rigorous impartiality of the Holy Office. To settle the questions which thus were constantly arising, Urban IV., in 1262, empowered the inquisitors to proceed in all cases at their discretion, whether or not these were also under examination by the bishops; and this was repeated in 1265 and 1266 by Clement IV., with strong injunctions to the inquisitors that they were not to allow their processes to be impeded by concurrent action of the bishops. In 1273 Gregory X. laid down the same rule; and it became the settled practice of the Church, embodied in the canon law, that both courts could simultaneously try the same case, communicating at intervals their proceedings to each other. Mutual conference, moreover, was necessary at the final sentence, and when they could not agree a full statement had to be submitted to the pope for decision. Even when proceeding alone and by his ordinary authority, the bishop was obliged to call in the concurrence of an inquisitor when he rendered sentence.†

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* Trésor des Chartes du Roi en Carcassonne (Doat, XXI. 34–49).—Lib. Confess. Inquis. Albiæ (MSS. Bib. Nat., fonds latin, 11847).—Archives Nat. de France, J. 431, No. 22–29.—Vaissette, III. 446.—Coll. Doat, XXVII. 161.—Molinier, L'Inquisition dans le midi de la France, Paris, 1880, pp. 275–6.

† Mag. Bull. Roman. I. 122.—Wadding. Annal. ann. 1265, No. 8.—Arch. de l'Inq. de Carcassonne (Coll. Doat, XXXII. 32).—Martene Thesaur. V. 1818.—C. 17 Sexto v. 2.—C. 1 Extrav. Comm. v. 3.—Eymeric. Direct. Inquis. pp. 539, 580–1.—C. 1, § 1, Clement. v. 3.

Urban's bull of 1262 is virtually the same as his "*Præ cunctis*" of 1264, printed by Boutaric, Saint-Louis et Alph. de Toulouse, pp. 448 sqq.

During this period, at one time, it became a question whether the episcopal jurisdiction over heresy was not completely superseded by the papal commission given to an inquisitor to act in his diocese. Gui Foucoix, the foremost jurist of his day, in his "*Quæstiones*," which long remained an authority in the inquisitorial tribunals, answered this question in the affirmative, and argued that the bishop was debarred from action by the special delegation of papal powers to the inquisitor. Yet, when Gui became pope, under the name of Clement IV., his bulls of 1265 and 1266, quoted above, show that he abandoned this position, and Gregory X. also expressly declared that the diocesan jurisdiction was not interfered with. Still the question was regarded as doubtful by canon lawyers, and for a period the episcopal jurisdiction sank almost into abeyance. There were few more active prelates in his day than Simon, Archbishop of Bourges, who, from 1284 to 1291, made repeated visitations of his southern dioceses, such as Albi, Rodez, Cahors, etc. Yet, in the records of these visitations, there is no allusion to his taking any cognizance of heresy, unless, indeed, his forcing, in 1085, a number of usurers of Gourdon to abjure be assumed as such, though usury was not justiciable by the Inquisition unless it became heresy by the assertion of its legality. About 1298, however, Boniface VIII. reasserted the jurisdiction of the episcopate, and we see Bernard de Castanet, Bishop of Albi, stirring up a revolt among his flock by the energy with which he scourged the heretics of Albi. Soon afterwards Clement V. enlarged the functions of the episcopate as a means of curbing the atrocities of the Inquisition, and the glossators argued that the appointment of inquisitors in no way relieved the bishop from the duty of investigating and suppressing heresy in his diocese—indeed, he was liable to deposition by the pope for negligence in this respect, though he was shielded by his position from prosecution by the inquisitor. Yet, even after the Clementines, Bernard Gui asserts it to be improper for the episcopal ordinary to cite any one who is already before the Inquisition. Still, if the power of the bishop had been limited by requiring him to consult with the inquisitor before rendering sentence, it had been enlarged in another direction by authorizing him to summon witnesses as well as offenders who had fled to other dioceses. There was one discrimination, however, against the bishop which handicapped him

heavily. His attempts to get a share of the proceeds of fines and confiscations to meet the expenses of prosecution were ineffectual. He was told that he and his officials had revenues for the functions of the Church, and these must suffice to pay him for the service. Ingenious dialecticians reasoned this away as far as regards the bishop when he acted personally, but it held good against his officials. To the latter it was not encouraging to be urged to work and pay their own costs, while the inquisitor, at least in Italy, had control of the confiscations, without accountability to the bishop.*

Under the legislation of Boniface VIII. and Clement V. it was natural that the first quarter of the fourteenth century should witness a revival of the episcopal Inquisition. Even in Italy the provincial Council of Milan, held at Bergamo in 1311 under the Archbishop Gastone Torriani, organized a thorough system of inquisition on the model of the papal institution. The growing

* Vaissette, III. 515.—Archidiac. Gloss. sup. c. 17, 20 Sexto v. 2.—Harduin. VII. 1017-19.—C. 17, 19 Sexto v. 2.—C. 1, Clement. v. 3.—Concil. Melodun. ann. 1300, No. 4.—Bernard. Guidon. Hist. Conv. Albiens. (Bouquet, XXI. 767).—Albert. Repert. Inquis. s. v. *Episcopus*.—Guid. Fulcod. Quæst. I.—Ripoll I. 512; VII. 53.—Joann. Andreæ Gloss. sup. c. 13 § 8 Extra. v. vii.—Eymeric. Direct. Inquis. pp. 626, 627, 650.—C. 1 Extrav. commun. v. 3.—Bernard. Guidon. Practica P. IV. (Doat, XXX.).—Bernardi Comens. Lucerna Inquis. s. v. *Bona hæreticorum*.

As early as 1257 we find that the Inquisition had already extended its jurisdiction over usury as heresy (Alex. PP. IV. Bull. *Quod super nonnullis* [Arch. de l'Inq. de Carcass. Doat, XXXI. 244]—a bull which was repeatedly reissued. See Raynald. Annal. ann. 1258, No. 23; Potthast Regesta 17745, 18396; Eymeric. Direct. Inquis. Ed. Pegnæ, p. 133. Cf. c. 8 § 5 Sexto v. 2). The Council of Lyons, in 1274 (can. 26, 27), in treating of usury, alludes only to its punishment by the Ordinaries. The Council of Vienne, in 1311, directed inquisitors to prosecute those who maintained that usury is not sinful (c. 1 § 2 Clementin. v. 5); but Eymerich (Direct. Inquis. p. 106) deprecates attention to such matters as an interference with the real business of the Inquisition. Zanchino lays down the rule that a man may be a public usurer, or blasphemer, or fornicator without being a heretic, but if he, in addition, manifests contempt for religion by not frequenting divine service, receiving the sacrament, observing the fasts and other ordinances of the Church, he becomes suspect of heresy, and can be prosecuted by the inquisitors (Zanchini Tract. de Hæres. c. xxxv.).

We shall see that usury became a very profitable subject of exploitation by the Inquisition when the diminution of heresy deprived it of its legitimate field of action. As the offence was one cognizant by the secular courts (see Vaissette, IV. 164), there was really no excuse for the exercise of spiritual jurisdiction over it.

power of the Visconti, hostile to the papacy, had greatly crippled the Dominicans, and a vigorous effort was made to replace them. In every town the arch-priest or provost was instructed to raise an armed guard, whose duty was the ceaseless perquisition of heresy, and whose privileges and immunities were the same as those of the familiars of the Dominican inquisitors; and all citizens, from the noble to the peasant, were summoned to lend assistance, when called upon, under significant threats. In France some proceedings, in 1319 and 1320, at Béziers, Pamiers, and Montpellier show the episcopal courts in full activity, with the occasional appearance of an inquisitor in a subordinate capacity as assistant, or of an episcopal inquisitor as a colleague of equal rank with those who acted under papal authority. In fact we find one such, in 1322, representing the see of Ausch, contending with the great Bernard Gui himself over a prisoner whom they both claimed. When, also, in 1319, the great opponent of the Inquisition, Friar Bernard Délicieux, was to be tried for impeding it, John XXII. appointed a special commission for the work, consisting of the Archbishop of Toulouse and the Bishops of Pamiers and St. Papoul, while one of the most experienced inquisitors of the time, Jean de Beaune of Carcassonne, acted as prosecutor, and not as judge.*

In Germany, about the same time, there was a sudden development of episcopal activity in the prosecutions of the Beghards by the Bishop of Strassburg and the Archbishop of Cologne, leading to a fair trial of strength between the hierarchy and the Dominicans in the case of Master Eckhart, the teacher of Suso and Tauler and the founder of the German mystics. He was looked upon with pride by the whole Order as one of its most prominent members. He had taught theology with applause in the great University of Paris; in 1303, when Germany was divided into two provinces, he had been made the first provincial Prior of Saxony; in 1307 the general had appointed him Vicar of Bohemia. In 1326 we find him, as teacher of theology in the Dominican school of Cologne, falling under suspicion of complicity with the heresy of the Beghards, against whom a sharp persecution was raging. His

* Coll. Doat, XXVII. 7; XXXIV. 87.—Concil. Bergamens. ann. 1311, Rubr. 1. —MSS. Bib. Nat. Coll. Moreau. 1274, fol. 72.—Lib. Sententt. Inq. Tolosan, pp. 268, 282, 351-2.

lofty mysticism trenched dangerously on their pantheism, and possibly they may have sought to shelter themselves behind his great name. At the general chapter of 1325 complaints had been made that in Germany members of the Order preached to the people in the vulgar tongue doctrines that might lead to error, and Gervaise, Prior of Angers, was ordered to investigate them; while, about the same time, John XXII., in concurrence with the wishes of the Order, appointed Nicholas of Strassburg, lector or teacher of the Cologne Dominicans, as his inquisitor for the province of Germany, to inquire into the faith and life of the brethren. Thus far everything had been kept within the precincts of the Order, but the archbishop was growing hot in his pursuit of the Begbards. He evidently was dissatisfied with what was on foot, and he appointed two episcopal commissioners or inquisitors to look after Master Eckhart. Nicholas of Strassburg was himself inclined to mysticism; every motive conspired to lead him to deal tenderly with the accused, and Eckhart was accordingly acquitted, in July, 1326. The episcopal inquisitors were not content with this (one of them was a Franciscan), and proceeded to take evidence against Eckhart. After six months, on January 14, 1327, they summoned Nicholas, as was their right, to communicate to them his proceedings. He came, accompanied by ten friars, not to obey the command, but to enter a solemn protest against the whole business, demanding his "Apostoli," or letters of appeal to the pope, on the ground that Dominicans were not subject to the episcopal Inquisition, and that he in especial was an inquisitor appointed by the pope with full jurisdiction. As early as 1184 Lucius III. had abolished all immunities of monastic orders in cases of heresy, but the Dominicans were of later origin, they had been strengthened with special privileges, and they claimed this exemption although they could not prove it. The episcopal inquisitors promptly answered this by commencing the same day an action against Nicholas himself, who on the morrow interjected an appeal to the Holy See. They further summoned Master Eckhart to appear before them on January 31, but on the 24th he came with numerous supporters and filed an indignant protest, in which he complained bitterly of their protracting the proceedings for the purpose of ruining his reputation, in place of pushing them to an end, as they could readily have done six months before; besides,

they were using for the same purpose certain vile Dominicans who were notorious for their crimes. He demanded his "Apostoli," and named May 4 as the term for prosecuting the appeal in the Roman court. To this the archiepiscopal inquisitors had by law thirty days to reply, and during the interval, on February 13, he took an extra-judicial step, which seems to show how greatly his reputation had suffered by these proceedings, and which has given rise to the assertion that he recanted his errors. After preaching in the Dominican church he caused a paper to be read in which he exculpated himself to the people from the erroneous doctrines attributed to him—denying that he had said that his little finger had created all things, or that there was in the soul something uncreated and uncreatable. At the expiration of the thirty days, on February 22, the archiepiscopal inquisitors rejected Eckhart's appeal as frivolous. Worn out with the controversy, he died soon after, but his Order had sufficient influence with John XXII. to obtain an evocation of the case to Avignon. There the regularity of the archbishop's action was recognized, and on March 27, 1329, judgment was rendered, defining in Eckhart's teachings seventeen heretical articles and eleven suspect of heresy. Although his assumed recantation saved his bones from exhumation and incremation, the result was none the less a full justification of the archbishop's proceedings. For once the old order had triumphed over the new. The episcopal jurisdiction was confirmed, for Eckhart's heresy was declared to have been proved both by the inquisition held by the archbishop under his ordinary authority, and by the investigation subsequently made in Avignon by papal command, and the decision was the more emphatic, since John XXII. had at the moment every motive to soothe the Dominicans, involved as he was in mortal struggle at once with Louis of Bavaria and with the whole puritanic section of the Franciscans.*

* W. Preger, Meister Eckart und die Inquisition, München, 1869.—Denifle, Archiv für Litteratur- und Kirchengeschichte, 1886, pp. 616, 640.—Raynald. ann. 1329, No. 70–2. —Gustav Schmidt, Päbstliche Urkunden und Regesten, Halle, 1886, p. 223.—Cf. Eymeric. Direct. Inquis. pp. 453 sqq.

The power of the Inquisition over the specially exempted orders of the Mendicants varied at times. Jurisdiction was conferred by Innocent IV., in 1254, by the bull *Ne comissum vobis* (Ripoll I. 252). About two hundred years later, Pius II. placed the Franciscans under the jurisdiction of their own minister-gen-

The episcopal Inquisition was thus fairly re-established as part of the recognized organization of the Church. The Council of Paris in 1350 treats of the persecution of heresy as part of the recognized duties of the bishop, and instructs the Ordinaries as to their powers of arrest and authority to call upon the secular officials for assistance in precisely the same terms as the Inquisition might do. A brief of Urban V. in 1363 refers to a knight and five gentlemen suspected of heresy, then in the custody of the Bishop of Carcassonne, and orders their trial by the bishop or inquisitor, or by both conjointly, the result to be referred to the papal court. When a bishop had spirit to resist the invasion of his rights by an inquisitor, he was able to make them respected. In 1423 the Inquisitor of Carcassonne had gone to Albi, where he swore in two notaries and some other officials to act for him; he had then taken certain evidence relating to a case before him, and had sworn the witnesses to secrecy in order that the accused might not receive warning. Of all this the Bishop of Albi complained as an invasion of his jurisdiction. The swearing in of the officials he claimed should only have been done in presence of his ordinary or of a deputy; the secrecy imposed on the witnesses was an impediment to his own inquisitorial procedure, as depriving him of evidence in the event of his prosecuting the case. The points were somewhat nice, and illustrate the friction and jealousy inseparable from the concurrent and competing jurisdictions; but in the present case, to avoid unseemly strife, the Bishop of Carcassonne was chosen as arbitrator, the inquisitor acknowledged himself in the wrong and annulled his acts, and a public instrument was drawn up in attesta-

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eral. In 1479 Sixtus IV., by the golden bull *Sacri prædicatorum*, § 12, forbade all inquisitors from prosecuting members of the other Order (Mag. Bull. Roman. I. 420). Soon afterwards Innocent VIII. prohibited all inquisitors from trying Franciscan friars; but, with the rise of Lutheranism, this became inexpedient, and in 1530 Clement VII., in the bull *Cum sicut*, § 2, removed all exemptions, and again made all justiciable by the Inquisition (Mag. Bull. Rom. I. 681), which was repeated by Pius IV. in the bull *Pastoris æterni*, in 1562 (Eymeric. Direct. Inq. Append. p. 127; Pegnæ Comment. p. 557).

Whether a bishop could proceed against an inquisitor for heresy was a debatable question, and one probably never practically tested. Eymerich holds that he could not, but must refer the matter to the pope; but Pegna, in his commentaries, quotes good authorities to the contrary (Eymeric. op. cit. pp. 558-9).

tion of the settlement. Yet in spite of these inevitable quarrels a *modus vivendi* was practically established. Eymerich, writing about 1375, almost always represents the bishop and inquisitor as co-operating together, not only in the final sentence, but in the preliminary proceedings; he evidently seeks to represent the two powers as working harmoniously for a common end, and that the Inquisition in no way superseded the episcopal jurisdiction or relieved the bishop from the responsibility inherent in his office. A century later Sprenger, in discussing the jurisdiction of the Inquisition from the standpoint of an inquisitor, takes virtually the same position; and the commissions issued to inquisitors usually contained a clause to the effect that no prejudice was intended to the inquisitorial jurisdiction of the Ordinaries. In the habitual negligence of the episcopal officials, however, the inquisitors found little difficulty in trespassing upon their functions, and complaints of this interference continued until the eve of the Reformation.*

Technically there was no difference between the episcopal and papal Inquisitions. The equitable system of procedure borrowed from the Roman law by the courts of the Ordinaries was cast aside, and the bishops were permitted and even instructed to follow the inquisitorial system, which was a standing mockery of justice—perhaps the most iniquitous that the arbitrary cruelty of man has ever devised. In tracing the history of the institution, therefore, there is no distinction to be drawn between its two branches, and the exploits of both are to be recorded as springing from the same impulses, using the same methods, and leading to the same ends.†

Yet the papal Inquisition was an instrument of infinitely greater efficiency for the work in hand. However zealous an episcopal official might be, his efforts were necessarily isolated, temporary, and spasmodic. The papal Inquisition, on the other hand, constituted

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* Concil. Parisiens. ann. 1350 c. 3, 4.—Arch. de l'Inq. de Carcassonne (Doat, XXXV. 132).—Archives de l'Évêché d'Albi (Doat, XXXV. 187).—Eymerici Direct. Inquis. p. 529.—Sprengeri Mall. Maleficar. P. III. Q. 1.—Ripoll II. 311, 324, 351.—Cornel. Agrippæ de Vanitate Scientiarum, cap. XCVI. Yet a bull of Nicholas V. to the inquisitor of France in 1451 seems to render him independent of episcopal co-operation (Ripoll III. 301).

† C. 17 Sexto v. 2.—See the "Modus examinandi hæreticos" printed by Gretser (Mag. Bib. Patrum XIII. 341) prepared for a German episcopal Inquisition.

a chain of tribunals throughout Continental Europe perpetually manned by those who had no other work to attend to. Not only, therefore, did persecution in their bands assume the aspect of part of the endless and inevitable operations of nature, which was necessary to accomplish its end, and which rendered the heretic hopeless that time would bring relief, but by constant interchange of documents and mutual co-operation they covered Christendom with a network rendering escape almost hopeless. This, combined with the most careful preservation and indexing of records, produced a system of police singularly perfect for a period when international communication was so imperfect. The Inquisition had a long arm, a sleepless memory, and we can well understand the mysterious terror inspired by the secrecy of its operations and its almost supernatural vigilance. If public proclamation was desired, it summoned all the faithful, with promises of eternal life and reasonable temporal reward, to seize some designated heresiarch, and every parish priest where he was suspected to be in hiding was bound to spread the call before the whole population. If secret information was required, there were spies and familiars trained to the work. The record of every heretical family for generations could be traced out from the papers of one tribunal or another. A single lucky capture and extorted confession would put the sleuth-hounds on the track of hundreds who deemed themselves secure, and each new victim added his circle of denunciations. The heretic lived over a volcano which might burst forth at any moment. During the fierce persecution of the Spiritual Franciscans in 1317 and 1318 a number of pitying souls had assisted fugitives, had stood by the pyres of their martyrs and had comforted them in various ways. Some had been suspected, had fled and changed their names: others had remained in favoring obscurity; all might well have fancied that the affair was forgotten. Suddenly, in 1325, some chance—probably the confession of a prisoner—placed the Inquisition on their track. Twenty or more were traced out and seized. Kept in prison for a year or two, their resolution broke down one by one; they successively confessed their half-forgotten guilt and were duly penanced. Even more significant was the case of Guillelma Maza of Castres, who lost her husband in 1302. In the first grief of her widowhood she was induced to listen to the teachings of two Waldensian missionaries whose exhortations brought her

comfort. They visited her but twice, in the darkness of the night; she never saw their faces nor those of others. After twenty-five years of orthodox observance, in 1327, she is brought before the Inquisition of Carcassonne, confesses this single aberration from the faith, and repents. Unforgiving and unforgetting, no trifle was beneath the minute vigilance of the Holy Office. Thus in the case of Manenta Rosa, who, in 1325, was called before it at Carcassonne on the mortal charge of relapse, the prosecution was because, after having abjured the heresy of the Spirituals, she had been seen talking with a man who was under suspicion and had sent by him two sols to a sick woman likewise suspect.*

Flight was of little avail. Descriptions of heretics who disappeared were sent throughout Europe, to every spot where they could be supposed to seek refuge, putting the authorities on the alert to search for every stranger who wore the air of one differing in life and conversation from the ordinary run of the faithful. News of captures was transmitted from one tribunal to another, evidence of guilt was furnished, or the hapless victim was returned to the spot where his extorted evidence would be most effective in implicating others. In 1287 an arrest of heretics at Treviso included some from France. Immediately the French inquisitors request that they be sent to them, especially one who ranked as bishop among the Cathari, for they may be induced to reveal the names of many others; and Nicholas IV. forthwith sends instructions to Friar Philip of Treviso to deliver them, after extracting all he can from them, to the messenger of the French Inquisition. Well might the orthodox imagine that only the hand of God, the heretic that only the inspiration of Satan, could produce such results as would follow the return of these poor wretches. To human apprehension the papal Inquisition was well-nigh ubiquitous, omniscient, and omnipotent.†

Occasionally, it is true, the efficiency of the organization was marred with quarrels. Antagonisms could not always be avoided, and the jealousy and mutual dislike of the Dominican and Franciscan Orders would sometimes interfere with the harmony essential to mutual co-operation. I have already alluded to the troubles arising from this cause at Marseilles in 1266 and at Verona in 1291.

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* Coll. Doat, XXXVII. 7; XXIX. 5. † Coll. Doat, XXX. 132; XXXII. 155.

A further symptom of lack of unity is seen in 1327, when Pierre Trencavel, a noted Spiritual, who had escaped from the prison of Carcassonne, was captured in Provence with his daughter Andree, likewise a fugitive. There could be no question as to their belonging to those from whom they had fled, yet Friar Michel, the Franciscan inquisitor of Provence, refused to surrender them, and the Carcassonne tribunal was obliged to appeal to John XXII., who intervened with a peremptory command to Friar Michel to lay aside all opposition and surrender the prisoners at once. Yet, considering the imperfections of human nature, these quarrels seem to have been few.*

Properly to govern and direct an engine of such infinite power, dealing with the life and happiness of countless thousands, would require more than human wisdom and virtue; and it may be worth a moment's attention to see what was the ideal of those to whom the practical working of the Holy Office was confided. Bernard Gui, the most experienced inquisitor of his day, concludes his elaborate instructions as to procedure with some general directions as to conduct and character. The inquisitor, he tells us, should be diligent and fervent in his zeal for the truth of religion, for the salvation of souls, and for the extirpation of heresy. Amid troubles and opposing accidents he should grow earnest, without allowing himself to be inflamed with the fury of wrath and indignation. He must not be sluggish of body, for sloth destroys the vigor of action. He must be intrepid, persisting through danger to death, laboring for religious truth, neither precipitating peril by audacity nor shrinking from it through timidity. He must be unmoved by the prayers and blandishments of those who seek to influence him, yet not be, through hardness of heart, so obstinate that he will yield nothing to entreaty, whether in granting delays or in mitigating punishment, according to place and circumstance, for this implies stubbornness; nor must he be weak and yielding through too great a desire to please, for this will destroy the vigor and value of his work—he who is weak in his work is brother to him who destroys his work. In doubtful matters he must be circumspect and not readily yield credence to what seems probable, for such is not always true; nor should he obstinately reject the opposite, for

* Coll. Doat, XXXV. 18.

that which seems improbable often turns out to be fact. He must listen, discuss, and examine with all zeal, that the truth may be reached at the end. Like a just judge let him so bear himself in passing sentence of corporal punishment that his face may show compassion, while his inward purpose remains unshaken, and thus will he avoid the appearance of indignation and wrath leading to the charge of cruelty. In imposing pecuniary penalties, let his face preserve the severity of justice as though he were compelled by necessity and not allured by cupidity. Let truth and mercy, which should never leave the heart of a judge, shine forth from his countenance, that his decisions may be free from all suspicion of covetousness or cruelty.*

To appreciate rightly the career and influence of the Inquisition will require a somewhat minute examination into its methods and procedure. In no other way can we fully understand its action; and the lessons to be drawn from such an investigation are perhaps the most important that it has to teach.

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* Bern. Guidon. Practica P. IV. *ad finem* (Doat, XXX.). This sketch of the model inquisitor seems to have been a favorite. I find it in another MS. *Tractatus de Inquisitione* (Doat, XXXVI.).

CHAPTER VIII.

ORGANIZATION.

We have seen how the Church had found persuasion powerless to arrest the spread of heresy. St. Bernard, Foulques de Neuilly, Durán de Huesca, St. Dominic, St. Francis, had successively tried the rarest eloquence to convince, and the example of the sublimest self-abnegation to convert. Only force remained, and it had been pitilessly employed. It had subjected the populations, only to render heresy hidden in place of public; and, in order to reap the fruits of victory, it became apparent that organized, ceaseless persecution continued to perpetuity was the only hope of preserving Catholic unity, and of preventing the garment of the Lord from being permanently rent. To this end the Inquisition was developed into a settled institution manned by the Mendicant Orders, which had been formed to persuade by argument and example, and which now were utilized to suppress by force.

The organization of the Inquisition was simple, yet effective. It did not care to impress the minds of men with magnificence, but rather to paralyze them with terror. To the secular prelacy it left the gorgeous vestments and the imposing splendors of worship, the picturesque processions and the showy retinues of retainers. The inquisitor wore the simple habits of his Order. When he appeared abroad he was at most accompanied by a few armed familiars, partly as a guard, partly to execute his orders. His principal scene of activity was in the recesses of the dreaded Holy Office, whence he issued his commands and decided the fate of whole populations in a silence and secrecy which impressed upon the people a mysterious awe a thousand times more potent than the external magnificence of the bishop. Every detail in the Inquisition was intended for work and not for show. It was built up by resolute, earnest men of one idea who knew what they

wanted, who rendered everything subservient to the one object, and who sternly rejected all that might embarrass with superfluities the unerring and ruthless justice which it was their mission to enforce.

The previous chapter has shown us the simplicity which marked the beginnings of the institution, consisting virtually of the individual friars selected to hunt up heretics and determine their guilt. Their districts were naturally coterminous with the provinces of the Mendicant Orders, whose provincials were charged with the duty of appointment, and these provinces each comprised many bishoprics. Though the chief town of each province came to be regarded as the seat of the Inquisition, with its building and prisons, yet it was the duty of the inquisitor to go in pursuit of the heretics, to visit all places where heresy might be suspected to exist, and to summon the people to assemble, exactly as the bishops formerly did in their visitations, with the added inducement of an indulgence of twenty or forty days for all who attended. It is true that at first the inquisitors of Toulouse established themselves in that city and cited before them all whom they wished to appear, but such complaints arose as to the intolerable hardship of this that, in 1237, the Legate Jean de Vienne ordered them to transport themselves to the places where they wished to make inquest. In obedience to this we see them going to Castelnaudari, where they were baffled by the people, who had entered into a common understanding not to betray each other, so they turned unexpectedly to Puy Laurens, where they took the population by surprise and gathered an ample harvest. The murders of Avignonet, in 1242, gave warning that these itinerant inquests were not without risk, yet they continued to be prescribed by the Cardinal of Albano, about 1244, and by the Council of Béziers, in 1246. Although, in 1247, Innocent IV. authorized inquisitors, when there was danger, to summon heretics and witnesses to some place of safety, yet the theory of personal visitation remained unchanged. In Italy we see it in the bulls *Ad extirpanda;* a contemporary German inquisitor describes it as the customary practice; in northern France we have the formulas used in 1278 by Friar Simon Duval for summoning the people on such occasions; about 1330 Bernard Gui alludes to it as one of the special privileges of the Inquisition; and, about 1375, Eymerich describes

the method of conducting these inquests as part of the established routine.*

Nothing could well be devised more effective than these visitations, and though they may have become neglected when the machinery of spies and familiars was perfected, or when the heretics had been nearly weeded out, during the busy times of the Inquisition they must have formed an important portion of its functions. A few days in advance of his visit to a city, the inquisitor would send notice to the ecclesiastical authorities requiring them to summon the people to assemble at a specified time, with an announcement of the indulgence given to all who should attend. To the populace thus brought together he preached on the faith, urging them to its defence with such eloquence as he could command, summoning every one within a certain radius to come forward within six or twelve days and reveal to him whatever they may have known or heard of any one leading to the belief or suspicion that he might be a heretic, or defamed for heresy, or that he had spoken against any article of faith, or that he differed in life and morals from the common conversation of the faithful. Neglect to comply with this command incurred *ipso facto* excommunication, removable only by the inquisitor himself; compliance with it was rewarded with an indulgence of three years. At the same time he proclaimed a "time of grace," varying from fifteen to thirty days, during which any heretic coming forward spontaneously, confessing his guilt, abjuring, and giving full information about his fellow-sectaries, was promised mercy. This mercy varied at different times from complete immunity to exemption from the severer penalties of death, imprisonment, exile, or confiscation. The latter is the grace promised in the earliest allusion to the practice in

* Gregor. PP. IX. Bull. *Ille humani generis*, 20 Mai. 1236 (Eymeric. App. p. 3).—Vaissette, III. 410-11.—Guill. Pod. Laur. c. 43.—Concil. Biterrens. ann. 1246, Append. c. 1.—Arch. de l'Inq. de Carcassonne (Doat, XXXI. 5).—Raynald. ann. 1243, No. 31.—Innoc. PP. IV. Bull. *Quia sicut*, 19 Nov. 1247 (Potthast 12766.—Doat, XXXI. 112).—Ejusd. Bull. *Ad extirpanda* § 31.—Anon. Passavicus. (Mag. Bib. Pat. XIII. 308).—Doctrina de modo procedendi (Martene Thesaur. V. 1809-11).—Alex. PP. IV. Bull. *Cupientes*, 4 Mart. 1260 (Mag. Bull. Rom. I. 119).—Ripoll I. 128.—Guill. Pelisso Chron. Ed. Molinier, p. 27.—Bernardi Guidon. Practica P. IV. (Doat, XXX.).—Eymeric. Direct. Inquis. pp. 407-9.—MSS. Bib. Nat., fonds latin, No. 14930, fol. 220.

1235, and in a sentence of 1237 on such an occasion the offender escaped with a penance consisting of two of the shorter pilgrimages, the finding of a beggar daily during life, and a fine of ten livres Morlaas given "for the love of God" to the Inquisition. After the expiration of the term they were told that no mercy would be shown; while it lasted, the inquisitor was instructed to keep himself housed, so as to be ready at any moment to receive denunciations and confessions; and long series of interrogatories, most searching and suggestive, were drawn up to prompt him in the examination of those who should present themselves. Even as late as 1387 when Frà Antonio Secco attacked the heretics of the Waldensian valleys, he commenced by publishing in the church of Pignerol a summons giving a week of grace during which all who should confess as to themselves and others should escape public punishment except for perjury committed before the Inquisition, and all who did not come forward were denounced as excommunicates.*

Bernard Gui assures us that this device was exceedingly fruitful, not only in causing numerous happy conversions, but also in furnishing information of many heretics who would not otherwise have been thought of, as each penitent was forced to denounce all whom he knew or suspected; and he particularly dwells upon its utility in securing the capture of the "perfected" Catharans who habitually lay in hiding and who thus were betrayed by those in whom they trusted. It is easy, in fact, to imagine the terror into which a community would be thrown when an inquisitor suddenly descended upon it and made his proclamation. No one could know what stories might be circulating about himself which zealous fanaticism or personal enmity might exaggerate and carry to the inquisitor, and in this the orthodox and the heretic would suffer alike. All scandals passing from mouth to mouth would be brought to light. All confidence between man and man would disappear.

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* Guill. Pod. Laur. c. 43.—Vaissette, III. 402, 403, 404; Pr. 386.—Raynald. ann. 1243, No. 31.—Concil. Narbonn. ann. 1244 c. 1.—Concil. Biterrens. ann. 1246, Append. c. 2, 5.—Arch. de l'Inq. de Carc. circa 1245 (Doat, XXXI. 5).—Guid. Fulcod. Quæst. II.—Bern. Guidon. Practica P. IV. (Doat, XXX.).—Eymerici Direct. Inquis. pp. 407–9.—Practica super Inquisit. (MSS. Bib. Nat., fonds latin, No. 14930, fol. 227–8).—Archivio Storico Italiano, 1865, No. 38, pp. 16–17.

Old grudges would be gratified in safety. To him who had been heretically inclined the terrible suspense would grow day by day more insupportable, with the thought that some careless word might have been treasured up to be now revealed by those who ought to be nearest and dearest to him, until at last he would yield and betray others rather than be betrayed himself. Gregory IX. boasted that, on at least one such occasion, parents were led to denounce their children, and children their parents, husbands their wives, and wives their husbands. We may well believe Bernard Gui when he says that each revelation led to others, until the invisible net extended far and wide, and that not the least of the benefits thence arising were the extensive confiscations which were sure to follow.*

These preliminary proceedings were commonly held in the convent of the Order to which the inquisitor belonged, if such there were, or in the episcopal palace if it were a cathedral town. In other cases the church or municipal buildings would afford the necessary accommodation, for the authorities, both lay and clerical, were bound to afford all assistance demanded. Each inquisitor, however, necessarily had his headquarters to which he would return after these forays, carrying with him the depositions of accusers and confessions of accused, and such prisoners as he deemed it important to secure, the secular authorities being bound to furnish him the necessary transportation and guards. Others he would cite to appear before him at a specified time, taking sufficient bail to secure their punctuality. In the earlier period, the seat of his tribunal was the Mendicant convent, while the episcopal or public prison was at his disposal for the detention of his captives; but in time special buildings were provided, amply furnished with the necessary appliances and dungeons—cells built along the walls and thence known as "*murus*," in contradistinction to the "*carcer*" or prison—where the unfortunates awaiting sentence were under the immediate supervision of their judge. It was here, for the most part, that the judicial proceedings were carried on, though we occasionally hear of the episcopal palace being used, especially when the bishop was zealous and co-operated with the Inquisition.

During the earlier period there was no limitation as to the age

* B. Guidon. loc. cit.—Ripoll I. 46.

of the inquisitor; the provincial who held the appointing power could select any member of his Order. That this frequently led to the nomination of young and inexperienced men is presumable from the language in which Clement V., when reforming the Holy Office, prescribed forty years as the minimum age in future. Bernard Gui remonstrated against this, not only because younger men were often thoroughly capable of the duties, but also because bishops and their ordinaries who exercised inquisitorial power were not required to be so old. The rule, however, held good. In 1422 the Provincial of Toulouse appointed an inquisitor of Carcassonne, Friar Raymond du Tille, who was only thirty-two years of age. Though he was confirmed by the general of the Order, it was held that the office was vacant until an appeal was made to Martin V., who ordered the Official of Alet to investigate his fitness, and, if found worthy, the Clementine canon might be suspended in his favor.*

The trials were usually conducted by a single inquisitor, though sometimes two would work together. One, however, sufficed, but he generally had subordinate assistants, who prepared the cases for him, and took the preliminary examinations. He had a right to call upon the provincial to assign to him as many of these assistants as he deemed necessary, but he could not select them for himself. Sometimes, when the bishop was eager for persecution and careless of the episcopal dignity, he would accept the position; and it was frequently filled by the Dominican prior of the local convent. When the state defrayed the expenses of the Inquisition, it seems to have exercised some control over the number of officials. Thus in Naples Charles of Anjou, in 1269, only provides for one assistant.†

These assistants represented the inquisitor during his absence, and thus were closely assimilated to the commissioners who came

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* C. 2 Clement. v. iii.—Bern. Guidon Gravam. (Doat, XXX. 117, 128).—Ripoll II. 610.—In 1431 Eugenius IV. dispensed with the rule in the case of an inquisitor appointed in his thirty-sixth year (Ripoll III. 9).

† Concil. Biterrens. ann. 1246 c. 4.—Molinier, pp. 129, 131, 281-2.—Hauréau, Bernard Délicieux, p. 20.—Wadding. Annal. ann. 1261, No. 2.—Urbani PP. IV. Bull. *Ne catholica fidei*, 26 Oct. 1262.—Bernardi Guidonis Practica, P. IV. (Doat, XXX.).—Eymerici Direct. Inq. p. 557, 577.—Archivio di Napoli, MSS. Chioccarello T. VIII.; Ibid. Registro 6, Lett. D. f. 35.

to be a permanent feature of the Holy Office. Even in the twelfth century it was determined that a judicial delegate of the Holy See could delegate his powers; and in 1246 the Council of Béziers authorized the inquisitor to appoint a deputy whenever he wished to have an inquest made in any place to which he could not himself proceed. Special commissions were sometimes issued, as when, in 1276, Pons de Pornac, Inquisitor of Toulouse, authorized the Dominican Prior of Montauban to take testimony against Bernard de Solhac and forward it to him under seal. In the extensive districts of the Inquisition the work must necessarily have been divided in this manner, especially during the earlier period, when the harvest of heresy was abundant and numerous laborers were requisite. Yet the formal authority to appoint commissioners with full powers does not seem to have been granted to inquisitors until 1262 by Urban IV., and this had to be confirmed by Boniface VIII. towards the close of the century. These commissioners, or vicars, differed from the assistants, inasmuch as they were appointed and discharged at the discretion of the inquisitor. They became a permanent feature of the institution, and conducted its business in places remote from the main tribunal; or, in case of the absence or incapacity of the inquisitor, one of them might be summoned to replace him temporarily, or the inquisitor could appoint a vicar-general. Like their principal, they had, after the Clementine reforms in 1317, to be at least forty years of age, and they wielded full inquisitorial powers, in the citation, arrest, and examination of witnesses and prisoners, even to the infliction of torture and condemnation to imprisonment. Whether they could proceed to final sentence in capital cases was a disputed question, and Eymerich recommends that such authority should always be reserved to the inquisitor himself; but, as we shall see, the cases of Joan of Arc and of the Vaudois of Arras show that this reservation was rarely observed. A further limitation on their powers was the inability to appoint deputies.*

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* C. 11, 19, 20 Extra v. 29.—Concil. Biterrens. ann. 1246 c. 3.—Coll. Doat, XXV. 230.—Urbani PP. IV. Bull. *Licet ex omnibus*, 20 Mart. 1262.—Guid. Fulcod. Quæst. IV.—C. 11 Sexto v. 2.—C. 2 Clement. v. 3.—Bernardi Guidon. Practica P. IV. (Doat, XXX.).—Eymerici Direct. pp. 403-6.—Zanchini Tract. de Hæret. c. XXX.

It is not easy to understand why, in 1276, the Lombard Inquisitors Frà Niccolò

In the later period there seems to have been occasionally another official with the title of "counsellor." In 1370 the Inquisition of Carcassonne claimed the right to appoint three, who should be exempt from all local taxation. In a document of 1423 the person filling this position is not a Dominican, but is qualified as a licentiate in law; and doubtless such a functionary was a useful and usual member of the tribunal, though with no precise official status. Zanghino informs us that in general inquisitors were utterly ignorant of law. In most cases this made no difference, for, as we shall see, they enjoyed the widest latitude of arbitrary procedure, with little danger that any one would dare to complain, but occasionally they had to deal with victims not entirely unresisting, and then some adviser as to their legal duties and responsibilities was desirable. Eymerich, in fact, recommends that a commissioner should always associate with himself some discreet lawyer to save him from mistakes which may redound to the disadvantage of the Inquisition, call for papal interposition, and perhaps cost him his place.*

As absolute secrecy became a main feature of all the proceedings of the Inquisition after its earlier tentative period, it was a universal rule that testimony, whether of witnesses or of accused, should only be taken in the presence of two impartial men, not connected with the institution, but sworn to silence. The inquisitor was empowered to compel the attendance of any one whom he might summon to perform this duty. These representatives of the public were preferably clerics, and usually Dominicans, "discreet and religious men," who were expected to sign with the notary the written report of the testimony in attestation of its fidelity. Though not alluded to in the instructions of the Council of Béziers in 1246, a deposition taken in 1244 shows that already the practice had become customary; and the frequent repetitions of the rule by successive popes and its embodiment in the canon law show what importance was attached to it as a means of prevent-

da Cremona and Frà Daniele Giussano assembled experts in Piacenza to determine whether they had power to appoint delegates, when the question was decided in the negative (Campi, Dell' Historia Ecclesiastica di Piacenza, P. II. p. 308-9).

* Archives de l'Évêché d'Albi (Doat, XXXV. 136, 187).—Zanchini Tract. de Hæret. c. xv.—Eymerici Direct. p. 407.

ing injustice, and giving at least a color of impartiality to the proceedings. Yet in this, as in everything else, the inquisitors were a law unto themselves, and disregarded at pleasure the very slender restrictions imposed on them. One of the rare cases in which the Inquisition lost a victim turned upon the neglect of this rule. In 1325 a priest named Pierre de Tornamire, accused of Spiritual Franciscanism, was brought to the Inquisition of Carcassonne in a dying state. The inquisitor was absent. His deputy and notary took the deposition in the presence of three laymen who chanced to be present, and the priest died before it was well concluded. Two Dominicans came, after he was speechless, and, without making any inquiry as to its correctness, signed their names to the deposition in attestation. On this irregular evidence a prosecution against Pierre's memory was based, and was contested by his heirs to save his property from confiscation. Thirty-two years the struggle lasted, and when the inquisitor came, in 1357, to ask assent to his sentence of condemnation in the customary assembly of experts, twenty-five jurists unanimously voted against it on the ground of irregularity, and only two, both Dominicans, ventured to uphold it. It was not long after this that Eymerich instructed his brethren how the rule could be evaded, when it was inconvenient, by at least having two honest persons present at the close of the examination, when the testimony was read over to the deponent. No one else was allowed to be present at the trial, except at Avignon for a brief period, about the middle of the thirteenth century, when the magistrates temporarily secured the right of attendance for themselves and a certain number of seigneurs. With this exception, the unfortunates who were wrestling for their lives with their judges were wholly at the discretion of the inquisitor and his creatures.*

The *personnel* of the tribunal was completed by the notary—an official of considerable standing and dignity in the Middle Ages. All the proceedings of the Inquisition were taken down in writing—

* Coll. Doat, XXII. 237 sqq.—Innoc. PP. IV. Bull. *Licet ex omnibus*, 30 Mai. 1254.—Bernardi Guidon. Practica P. IV. (Doat, XXX.).—Clement PP. IV. Bull. *Pro cunctis*, 23 Feb. 1266.—C. 11, § 1 Sexto v. 2.—Concil. Biterrens. ann. 1246 c. 4.—Alex. PP. IV. Bull. *Pro cunctis*, 9 Nov. 1256.—Archives de l'Inq. de Carcassonne (Doat, XXXIV. 11).—Molinier, L'Inquis. dans le midi de la France, pp. 219, 287.—Eymeric. Direct. Inq. p. 426.

every question and every answer — each witness and each defendant being obliged to confirm his testimony when read over to him at the close of the interrogatory, and judgment was finally rendered on an inspection of the evidence thus recorded. The function of the notary was no light one, and occasionally scriveners were called in to his assistance, but he formally attested every document. Not only was there the fearful multiplication of papers accumulating in the current business of the tribunal, and their careful transcription for preservation, but the several Inquisitions were continually furnishing each other with copies of their records, so that a considerable force must have been necessarily employed. As in everything else, the inquisitor was empowered to call for gratuitous service on the part of any one whom he might summon, but the continuous business of the office required undivided attention, and its proper despatch rendered desirable the peculiar training acquired by experience. In the earlier periods, the authorization to impress any notary to serve, and the advice to select if possible Dominicans who had been notaries, with the power, if none such could be had, to replace him with two discreet persons, shows that the itinerant tribunals depended for the most part on this chance conscription; but in the permanent seats of the Inquisition the notary was a regular official, in receipt of a salary. In the attempted reform of Clement V. it was provided that he should take his official oath before the bishop as well as before the inquisitor, and to this Bernard Gui objected on the ground that the exigencies of business sometimes required the force to be suddenly increased to two or three or four, and that in places where no public notaries were to be had, other competent persons were necessarily employed on the spur of the moment, as it often happens that the guilty will confess when in the mood, and if their confession is not promptly taken they draw back, and they are always more given to concealment than to truth. Curiously enough, the power to appoint notaries was regarded with so much jealousy that it was denied to the inquisitor. He may if he choose, says Eymerich, send three or four names to the pope, who will appoint them for him, but this leads to such bad feeling on the part of the local authorities that he had better content himself with the notaries of the bishops or of the secular rulers.*

* Bern. Guidon. Practica P. IV. (Doat, XXX.).—Urbani PP. IV. Bull. *Licet*

The enormous mass of documents produced by these innumerable busy hands was the object of well-deserved solicitude. At the very inception of the work its value was recognized. In 1235 we hear of the confessions of penitents being sedulously recorded in books kept for the purpose. This speedily became the universal custom, and the inquisitors were instructed to preserve careful records of all their proceedings, from the first summons to the final sentence in every case, together with lists of all who took the oath enforced on every one to defend the faith and persecute heresy. The importance attached to this is shown by the frequent iteration of the command, and by the further precaution that all the papers should be duplicated, and a copy lodged in a safe place or with the bishop. With what elaborate care they were rendered practically useful is shown by the Book of Sentences of the Inquisition of Toulouse, from 1308 to 1323, printed by Limborch, where at the end there is an index of the 636 culprits sentenced, grouped under their places of residence alphabetically arranged, with reference to the pages on which their names occur and brief mention of the several punishments inflicted on each, and of any subsequent modifications of the penalty, thus enabling the official who wished information as to the people of any hamlet to see at a glance who among them had been suspected and what had been done. One case in the same book will illustrate the completeness and the exactitude of the previous records. In 1316 an old woman was brought before the tribunal; on examination it was found that in 1268, nearly fifty years before, she had confessed and abjured heresy and had been reconciled, and as this aggravated her guilt the miserable wretch was condemned to perpetual imprisonment in chains. Thus in process of time the Inquisition accumu-

ex omnibus, ann. 1262, §§ 6, 7, 8 (Mag. Bull. Roman. I. 122).—C. 1 § 3 Clement v. 3.—Coll. Doat, XXX. 109-10.—Eymeric. Direct. Inq. p. 550.

The peculiar importance attached to the notariate and the limitations imposed on its membership are seen in the papal privileges issued for the appointment of notaries. Thus there is one of November 27, 1295, by Boniface VIII. to the Archbishop of Lyons authorizing him to create five; one of January 28, 1296, to the Bishop of Arras to create three, and one of January 22, 1296, to the Bishop of Amiens to create two. (Thomas, Registres de Boniface VIII., I. No. 640 *bis*, 660, 678 *bis*.)

In 1286 the Provincial of France complained to Honorius IV. of the scarcity of notaries in that kingdom, and was authorized to create two (Ripoll II. 16).

lated a store of information which not only increased greatly its efficiency, but which rendered it an object of terror to every man. The confiscations and disabilities which, as we shall see hereafter, were inflicted on descendants, rendered the secrets of family history so carefully preserved in its archives the means by which a crushing blow might at any moment fall on the head of any one; and the Inquisition had an awkward way of discovering disagreeable facts about the ancestry of those who provoked its ill-will, and possibly its cupidity. Thus, in 1306, during the troubles at Albi, when the royal *viguier*, or governor, supported the cause of the people, the inquisitor, Geoffroi d'Ablis, issued letters declaring that he had found among the records that the grandfather of the *viguier* had been a heretic, and his grandson consequently was incapable of holding office. The whole population was thus at the mercy of the Holy Office.*

The temptation to falsify the records when an enemy was to be struck down was exceedingly strong, and the opponents of the Inquisition had no hesitation in declaring that it was freely yielded to. Friar Bernard Délicieux, speaking for the whole Franciscan Order of Languedoc, in a formal document of the year 1300, not only declared that the records were unworthy of trust, but that they were generally believed to be so. We shall see hereafter facts which fully justified this assertion, and the popular mistrust was intensified by the jealous secrecy which rendered it an offence punishable with excommunication for any one to possess any papers relating to the proceedings of the Inquisition or to prosecutions against heretics. On the other hand, the temptation on the part of those who were endangered to destroy the archives was equally strong, and the attempts to effect this show the importance attached to their possession. As early as 1235 we find the citizens of Narbonne, in an insurrection against the Inquisition, carefully destroying all the books and records. The order of the Council of Albi in 1254, to make duplicates and lodge them in some safe place was doubtless caused by another successful

* Guill. Pelisso Chron. Ed. Molinier p. 28.—Concil. Narbonn. ann. 1244 c. 6. — Concil. Biterrens. ann. 1246 c. 31, 37.—Concil. Albiens. ann. 1254 c. 21.—Alex. PP. IV. Bull. *Licet vobis*, 7 Dec. 1255; Ejusd. Bull. *Pro cunctis*, 9 Nov. 1255, 13 Dec. 1255.—Lib. Sentt. Inq. Tolosan. pp. 198-9.—Coll. Doat, XXXIV. 104.

effort made in 1248 by the heretics of Narbonne. On the occasion of an assembly of bishops in that city a clerk and a messenger bearing records with the names of heretics were slain and the books burned, giving rise to a good many troublesome questions with regard to existing and future prosecutions. About 1285, at Carcassonne, a plot was entered into by the consuls of the town and several of its leading ecclesiastics to destroy the inquisitorial records. They bribed one of the familiars, Bernard Garric, to burn them, but the conspiracy was discovered and its authors punished. One of these, a lawyer named Guillem Garric, languished in prison for about thirty years before his final sentence in 1321.*

Not the least important among the functionaries of the Inquisition were the lowest class — the apparitors, messengers, spies, and bravos, known generally by the name of familiars, which came to have so ill-omened a significance in the popular ear. The service was not without risk, and it had few attractions for the honest and peaceable, but it was full of promise for the reckless and evil-minded. Not only did they enjoy the immunity from secular jurisdiction attaching to all in the service of the Church, but the special authority granted by Innocent IV., in 1245, to the inquisitors to absolve their familiars for acts of violence rendered them independent even of the ecclesiastical tribunals. Besides, as any molestation of the servants of the Inquisition was qualified as impeding its operations and thus savoring of heresy, any one who dared to resist aggression rendered himself liable to prosecution before the tribunal of the aggressor. Thus panoplied, they could tyrannize at will over the defenceless population, and it is easy to imagine the amount of extortion which they could practise with virtual impunity by threatening arrest or accusation at a time when falling into the hands of the Inquisition was about the heaviest misfortune which could befall any man, whether orthodox or heretic.†

* Arch. de l'Inq. de Carcass. (Doat, XXXIV. 123).—Ripoll I. 356, 396.—Vaissette, III. 406; Pr. 467.—Coll. Doat, XXXI. 105, 149.—Molinier, p. 35.—Bern. Guidon. Hist. Conv. Carcass. (D. Bouquet, XXI. 743).—Lib. Sententt. Inquis. Tolos. p. 282.

† Paramo de Orig. Offic. S. Inquis. p. 102.—Pegnæ Comment. in Eymeric. p. 584.—Arch. de l'Inq. de Carcassonne (Doat, XXXI. 70; XXXII. 143).

All that was needed to render this social scourge complete was devised when the familiars were authorized to carry arms. The murders at Avignonet, in 1242, with that of Peter Martyr, and other similar events, seemed to justify the inquisitors in desiring an armed guard; and the service of tracking and capturing heretics was frequently one of peril, yet the privilege was a dangerous one to bestow on such men as could be got for the work, while releasing them from the restraints of law. In the turbulence of the age the carrying of weapons was rigidly repressed in all peace-loving communities. As early as the eleventh century we find it prohibited in the city of Pistoja, and in 1228 in Verona. In Bologna knights and doctors only were allowed to bear arms, and to have one armed servant. In Milan, a statute of Gian-Galeazzo, in 1386, forbids the carrying of weapons, but allows the bishops to arm the retainers living under their roofs. In Paris an *ordonnance* of 1288 inhibits the citizens from carrying pointed knives, swords, bucklers, or other similar weapons. In Beaucaire, an edict of 1320 prescribes various penalties, including the loss of a hand, for bearing arms, except in the case of travellers, who are restricted simply to swords and knives. Such regulations were of inestimable value in the progress of civilization, but they amounted to little when the inquisitor could arm any one he pleased, and invest him with the privileges and immunities of the Holy Office.*

As early as 1249 the scandals and abuses arising from the unlimited employment of scriveners and familiars who oppressed the people with their extortions called forth the indignant rebuke of Innocent IV., who commanded that their numbers should be reduced to correspond with the bare exigencies of duty. In those countries in which the Inquisition was supported by the State there was not much opportunity for the development of overgrown abuses of this nature. Thus, in Naples, Charles of Anjou, in permitting the carrying of arms, specifies three as the number of familiars for each inquisitor; and when Bernard Gui protested

* Statuta Pistoriensia, c. 109 (Zachariæ Anect. Med. Ævi, p. 23).—Lib. Juris civilis Veronæ, anu. 1228, c. 104, 183 (Veronæ, 1728).—Statut. criminal. Communis Bononiæ (Ed. 1525, fol. 36 (cf. Barbarano de' Mironi, Hist. Eccles. di Vicenza, II. 69.—Antiqua Ducum Mediolan. Decreta (Ed. 1654, p. 95).—Statuta Criminalia Mediolani, Bergomi, 1594, cap. 127.—Actes du Parl. de Paris, I. 257. —Vaissette, Ed. Privat., X. Pr. 610.

against the reforms of Clement V. he pointed out the contrast between France, where the inquisitors relied upon the secular officials, and were forced to be content with few retainers, and Italy, where they had almost unlimited opportunities. There, in fact, as we shall see, the Inquisition was self-supporting and independent by reason of its share in the fines and confiscations, and restraint of any kind was difficult. Clement V. forbade the useless multiplication of officials and the abuse of the right to bear arms, but his well-meant efforts availed little. In 1321 we find John XXII. reproving the inquisitors of Lombardy for creating scandals and tumults in Bologna by their armed familiars of depraved character and perverse habits, who committed murders and other outrages. In 1337 the papal nuncio, Bertrand, Archbishop of Embrun, seeing by personal observation the troubles which existed in Florence, owing to the practice of the inquisitor issuing licenses to carry arms, which was abused to the frequent injury of defenceless citizens, restricted him to twelve armed familiars, informing him that the secular authorities would furnish whatever additional armed assistance might be necessary for the capture of heretics. Yet within nine years one of the accusations brought against a new inquisitor, Frà Piero di Aquila, was that he had sold licenses to carry arms to more than two hundred and fifty men, bringing him in an annual revenue of about one thousand gold florins, and proving sadly detrimental to the peace of the city. Accordingly a law was passed restricting the inquisitor to six familiars bearing arms, the Bishop of Florence to twelve, and the Bishop of Fiesole to six, all of whom were required to wear the insignia of their masters. Still, the profit arising from the sale of such licenses was too great a temptation, and in the Florentine code of 1355 we find general regulations intended to check it in another way. Any one caught bearing arms and pleading a license was deported beyond the territory of the republic, to a distance of at least fifty miles from the city, and had to give a bond to remain there for a year. Even the podestà was prohibited from issuing such licenses under the penalties of perjury and a fine of five hundred lire. All this was an infraction of the liberties of the Church, and formed the substance of one of the complaints of Gregory XI., when, in 1376, he excommunicated the republic; and when, in 1378, Florence was forced to submit, one

of the conditions was that a papal commissioner should expunge from the statute-book all the obnoxious laws. Yet the excesses of these brawling ruffians were too great to be long submitted to, and in 1386 another device was tried. The two bishops and the inquisitor were forbidden to have armed familiars who were taxable or inscribed on the roll of citizens; those to whom they issued licenses had to be declared their familiars by the priors of the arts, and this declaration had to be renewed yearly by a public instrument delivered to them. Some restraint thus was exercised, and this provision was retained in the recension of the code in 1415. This same struggle was doubtless going on in all the Italian cities which had independence enough to seek a remedy for the daily outrages inflicted by these licensed bravos, though the record of the troubles may not be accessible to history. Even in Venice, which kept the Inquisition in so subordinate a position, and wisely maintained its rights by defraying the expenses of the institution—even Venice felt the necessity of restraining the multiplication of pretended armed retainers. In August, 1450, the Great Council, by a vote of fourteen to two, denounced the abuse by which the inquisitor had sold to twelve persons the license to bear arms; such a force, it is said, was wholly unnecessary, as he could always invoke the assistance of the secular power, and therefore he should, in accordance with ancient custom, be restricted to four armed familiars. Six months later, in February, 1451, at the earnest request of the Franciscan general minister, this regulation was rescinded; the inquisitor was allowed to increase the number to twelve, but the police were directed to observe and report whether they were really engaged in the duties of the Inquisition. Yet Eymerich assures us that all such interference is unlawful, and that any secular ruler who endeavors to prevent the familiars of the Holy Office from bearing arms is impeding the Inquisition and is a fautor of heresy, while Bernard Gui characterizes in similar terms any limitation of the number of officials below what the inquisitor may deem requisite, all of which, according to Zanghino, is punishable at the discretion of the inquisitor.*

* Arch. de l'Inq. de Carcass. (Doat, XXXI. 81).—Archivio di Napoli, MSS. Chioccarello T. VIII.; Registro 3, Lett. A, fol. 64; Registro 6, Lett. D, fol. 35.—Coll. Doat, XXX. 119-20.—C. 2 Clement. v. 3.—Johann. PP. XXII. Bull. *Exegit ordinis*, 2 Mai. 1321.—Archivio di Firenze, Riformagioni, Archiv. Diplom. XXVII,

In the preceding chapter I have alluded to the power claimed and often exercised of abrogating all local statutes obnoxious to the Holy Office, and of the duty of every secular official to lend aid whenever called upon. This duty was recognized and enforced so that the organization of the Inquisition may be said to have embraced that of the State, whose whole resources were placed at its disposition. The oath of obedience which the inquisitor was empowered and directed to exact of all holding official station was no mere form. Refusal to take it was visited with excommunication, leading to prosecution for heresy in case of obduracy, and humiliating penance on submission. At times it was neglected by careless inquisitors, but the earnest ones made a point of it. Bernard Gui, at all his *autos de fé*, solemnly administered it to all the royal officials and local magistrates, and when, in May, 1309, Jean de Maucochin, the royal seneschal of the Tolosain and Albigeois declined to take it, he was speedily brought to see his error, and submitted within a month. Bernard himself, as we have seen, admits that the help thus promised was efficiently rendered, and when, in 1329, Henri de Chamay, Inquisitor of Carcassonne, applied to Philippe de Valois for a reaffirmation of the privileges of the Inquisition, the monarch promptly responded in an edict in which he proclaimed that "each and all, dukes, counts, barons, seneschals, baillis, provosts, viguiers, castellans, sergeants, and other justiciaries of the kingdom of France are bound to obey the inquisitors and their commissioners in seizing, holding, guarding, and taking to prison all heretics and suspects of heresy, and to execute diligently the sentences of the inquisitors, and to give to the inquisitors, their commissioners and messengers, safe-conduct, prompt help and favor, through all the lands of their jurisdictions, in all that concerns the business of the Inquisition, whenever and how often soever they may be called upon." Any

LXXVIII.-IX.; Riform. Classe II. Distinz. 1, No. 14.—Villani, Cronica, Lib. XII. c. 58.—Archivio di Venezia, Misti, Cons. X. Vol. XIII. p. 192; Vol. XIV. p. 29.—Eymeric. Direct. Inq. pp. 374-5.—Bernard. Guidonis Practica P. IV. (Doat, XXX.).—Zanchini Tract. de Hæret. c. XXXI.—Urbani PP. IV. Bull. *Licet ex omnibus*, 1262 (Mag. Bull. Rom. I. 123).—Bernardi Comens. Lucerna Inquisit. s. v. *Inquisitores*, No. 14.

For further authorities on the subject, see Farinacii de Hæresi Quæst. 182, No. 89-94.

hesitation on the part of public officials to grant assistance when summoned was promptly punished. Thus, in 1303, when Bonrico di Busca, vicar of the podestà of Mandrisio, refused to furnish men to the representatives of the Milanese Inquisition, he was forthwith condemned to a fine of a hundred imperial solidi, to be paid within five days. Even the condition of an excommunicate, which rendered an official incapable of performing any other function, did not relieve him from this duty; he could be called upon to execute the commands of the inquisitor, but he was warned that he must not imagine himself competent therefore to do anything else.*

In addition to this the Inquisition had, to a greater or less extent, at its service the whole orthodox population, and especially the clergy. It was the duty of every man to give information as to all cases of heresy with which he might become acquainted under pain of incurring the guilt of fautorship. It was further his duty to arrest all heretics, as Bernard de St. Genais found in 1242, when he was tried by the Inquisition of Toulouse for the offence of not capturing certain heretics when it was in his power to do so, and was condemned to the penance of pilgrimages to the shrines of Puy, St. Gilles, and Compostella. The parish priests, moreover, were required, whenever called upon, to cite their parishioners for appearance, either publicly from the pulpit or secretly as the case might require, and to publish all sentences of excommunication. They were likewise held to the duty of surveillance over penitents to see that the penances enjoined were duly performed, and to report any cases of neglect. A very thorough system of local police, framed upon the model of the old synodal witnesses, was devised by the Council of Béziers in 1246, under which the inquisitor was

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* Concil. Albiens. ann. 1254 c. 7.—Eymeric. Direct. Inquis. 382-402.—Gloss. Hostiens. super. Cap *Excommunicamus*, § *Moneamus*.—Gloss. Joan. Andreæ sup. eod. loc.—Lib. Sententt. Inq. Tolosan. pp. 1, 7, 36, 39, 292.—Archives de l'Inq. de Carcassonne (Doat, XXVII. 118).—Isambert, Anc. Loix Françaises, IV. 364-5. —Ognibeu Andrea, I Guglielmiti del Secolo XIII., Perugia, 1867, p. 111.—Alex. PP. IV. Bull. *Quæsivistis*, 28 Mai. 1260.

As in France the office of bailli was a purchasable one, while the incumbent was forbidden to sell it, it is evident that he would be loath to endanger its tenure by risking disobedience to inquisitorial demands.—Statuta Ludov. IX. ann. 1254, c. xxv.-vii. (Vaissette, Éd. Privat, VIII. 1349).

empowered to appoint in every parish a priest and one or two laymen, whose duty it should be to search for heretics, examining all houses, inside and out, and especially all secret hiding-places. In addition to this they were instructed to watch over penitents and enforce the faithful observance of the sentences of the Inquisition, and a manual of practice of the period instructs inquisitors to see that this system is thoroughly carried out. In fact, the whole resources of the land, public and private, were freely placed at the disposal of the Holy Office, so that nothing should be wanting in its sacred mission of extirpating heresy.*

An important feature in the organization of the Inquisition was the assembly in which the fate of the accused was finally determined. The inquisitor had technically no power to pass sentence by himself. We have seen how, after various fluctuations of policy, the co-operation of the bishops was established as indispensable. As in everything else, the inquisitors contemptuously neglected this limitation on their powers, and when Clement V. endeavored to reform abuses he pronounced null and void any sentences rendered independently, yet to avert delays he permitted consent to be expressed in writing if after eight days a meeting could not be arranged. If, indeed, we may judge from some specimens of these written consultations which have reached us, they were perfunctory to the last degree and placed no real check upon the discretion of the inquisitor. Still Bernard Gui complained bitterly even of this restriction in terms which show how little respect had previously been paid to the rule, and he adds, in justification, that one bishop kept the trials of some persons of his diocese from being finished for two years and more, while another delayed the celebration of an *auto de fé* for six months. He himself observed the regulation scrupulously, both before and after the publication of the Clementines, and in the reports of the *autos* held by him in Toulouse the participation of the bishops of the prisoners, or of episcopal delegates, is always carefully specified. Yet how easy was the evasion of this, as of all other regulations for the protec-

* Zanchini Tract. de Hæret. c. 5.—Coll. Doat, XXI. 226, 308.—Bern. Guidon. Practica P. IV. (Doat, XXX.).—Concil. Narbonn. ann. 1244 c. 8.—Concil. Biterrens. ann. 1246 c. 34.—Practica super Inquisit. (MSS. Bib. Nat., fonds latin, No. 14930, fol. 223–4).

tion of the accused, is seen when even Bernard Gui accepted commissions from three bishops—those of Cahors, St. Papoul, and Montauban—to act for them in the *auto* of September 30, 1319. This device became frequent, and inquisitors constantly rendered sentence on their individual responsibility under power granted them by the bishops, as in the persecutions of the Waldenses of Piedmont in 1387, and that of the witches of Canavese in 1474. Sometimes, however, the bishops were not altogether free agents, as when, in the early persecution of the Spiritual Franciscans, about 1318, those of the province of Narbonne were coerced to consent to the burning of some unfortunates by the inquisitor threatening them with the pope, who was known to have the prosecutions much at heart.*

This episcopal concurrence in the sentence was reached in consultation with the assembly of experts. As the inquisitors from the beginning were chosen rather with regard to zeal than learning, and as they maintained a reputation for ignorance, it was soon found requisite to associate with them in the rendering of sentences men versed in the civil and canon law, which had by this time become an intricate study requiring the devotion of a lifetime. Accordingly they were empowered to call in experts to deliberate with them over the evidence and advise with them on the sentence to be rendered, and those who were thus summoned could not refuse to serve gratuitously, though it is intimated that the inquisitor can pay them if he feels so inclined. At first it would seem as though notables were assembled at the condemnation of prominent heretics rather to give solemnity to the occasion than for actual consultation, as when, in 1237, at the sentence passed on Alaman de Roaix in Toulouse, the presence is recorded of the Bishop of Toulouse, the Abbot of Moissac, the Dominican and Franciscan provincials, and a number of other notables. The amount of work, in fact, performed by the Inquisition of Languedoc in the early years of its existence would seem to preclude the idea of any serious deliberation by counsellors thus called in, who would have to consider the interminable reports of examinations and interro-

* C. 1, § 1, Clement v. 3.—Eymeric. Direct. Inq. p. 580.—Coll. Doat, XXXI. 57.—Bernardi Guidon. Practica P. IV. (Doat, XXX.).—Coll. Doat, XXX. 104.—Lib. Sententt. Inq. Tolosan. passim, especially pp. 208–10.—Ibid. p. 300.—Archivio Storico Italiano, No. 38, p. 26 sqq.—Curiosità di Storia Subalpina, 1874, p. 215.

gations; especially as, at a comparatively early date, the practice was adopted of allowing a number of culprits to accumulate whose fate was determined and announced in a solemn "*Sermo*" or *auto de fé*. Still, the form was kept up, and in 1247 a sentence rendered by Bernard de Caux and Jean de St. Pierre on seven relapsed heretics is specified as being "with the counsel of many prelates and other good men." In the final shape which the assembly of counsellors assumed, we find it summoned to meet on Fridays, the "*Sermo*" always taking place on Sundays. When the number of criminals was large there was thus not much time for deliberation on special cases. The assessors were always to be jurists and Mendicant friars, selected by the inquisitor in such numbers as he saw fit. They were severally sworn on the Gospels to secrecy, and to give good and wise counsel, each one according to his conscience and the knowledge vouchsafed him by God. The inquisitor then read over to them his summary of each case, sometimes withholding the name of the accused, and they voted the sentence—"Penance at the discretion of the inquisitor"—"That person is to be imprisoned, or abandoned to the secular arm," while the Gospels lay on the table in their midst, "so that our judgment may come from the face of God and our eyes may see justice." *

As a rule it is safe to assume that these proceedings were scarcely more than formal. Not only was the inquisitor at liberty to present each case in such aspect as he saw fit, but it became the custom to call in such numbers of experts that in the press of business deliberation was scarce possible. Thus the Inquisitor of Carcassonne, Henri de Chamay, assembled at Narbonne, December 10, 1328, besides himself and the episcopal Ordinary, forty-two counsellors, consisting of canons, jurisconsults, and lay experts. In the two days allotted to them this unwieldly assemblage despatched thirty-four cases, which would show that little consideration could have been given to each. In only two cases, indeed, was there any dif-

* Alex. PP. IV. Bull. *Cupientes*, 15 Apr. 1255.—Ejusd. Bull. *Præ cunctis*, 9 Nov. 1256.—Urbani PP. IV. Bull. *Licet ex omnibus*, § 10, 1262 (Mag. Bull. Rom. I. 122).—Bern. Guidon. Practica P. IV. (Doat, XXX.).—Zanchini de Hæret. c. XV.—Bernardi Comens. Lucerna Inquisitor. s. v. *Advocatus*.—Coll. Doat, XXI. 143; XXVII. 156–62, 232; XXXI. 139.—Doctrina de modo procedendi (Martene Thesaur. V. 1795).—Tractatus de Inquis. (Doat, XXXVI.).—MSS. Bib. Nat., fonds latin, No. 14930, fol. 205.

ference of opinion expressed, and these were of no special importance. On September 8, 1329, he held another assembly at Carcassonne, attended by forty-seven experts, which in its two days' session acted upon forty cases. Yet these assemblies were not always so expeditious and self-effacing. From Narbonne Henri de Chamay passed to Pamiers, where, January 7, 1329, he called together thirty-five experts besides the Bishop of Toulouse. On the first day several cases were postponed for greater deliberation, and of these some were acted upon and others were not. Considerable debate took place, each individual expressing his opinion, and the result was apparently settled by the majority vote. They evidently felt and assumed the responsibility of the decision; and yet the impossibility of deliberate action by so cumbrous a body is seen in their bunching together all the cases of "believing" heretics, condemning them *en masse* to prison, and leaving it with the inquisitor to determine the character of the imprisonment for each individual. Curiously enough, this assembly also assumed legislative functions in laying down general rules of punishment for false-witness. A still more notable instance of deliberation occurred at an assembly convoked by Henri de Chamay at Béziers, May 19, 1329, where there were thirty-five experts present. In the case of a Franciscan friar, Pierre Julien, all agreed that, strictly speaking, he was a "relapsed," but many were anxious to show him mercy. After long debate, the inquisitor told them to meet again in the evening, and in the meanwhile consider whether they could devise some means of grace. At the evening session there was again earnest discussion, and postponement was agreed to on the excuse that no bishop could be had in time for his degradation. The experts were finally summoned, under pain of excommunication, to give their opinions, which were taken down in writing and ranged from simple purgation to abandonment to the secular arm. The assembly then was dismissed and consultation was held with some of the more prominent members, when it was agreed either to send to Avignon, Toulouse, or Montpellier for advice or to await an *auto de fé* at Carcassonne for further counsel.*

Yet, while the forms were thus preserved, the inquisitors, with their customary arbitrary disregard of all that limited their dis-

* Coll. Doat, XXVII. 118, 140, 156, 162.

cretion, paid attention or not to the decisions of the experts, as best suited them. In the sentences which follow the reports of these assemblies it is by no means unusual to find names which had never been laid before them. After the assembly of Pamiers, for instance, which showed so much disposition to act for itself, there is a sentence condemning five defuncts, only two of whom are named in the proceedings. On the same occasion, another culprit, Ermessende, daughter of Raymond Monier, was condemned by the assembly for false-witness to the "*murus largus*," or simple prison, and was sentenced by the inquisitor to "*murus strictus*," or imprisonment in chains, which was a very different penalty. In fact, it was a disputed point whether the inquisitor was bound to obey the counsel of the assembly, and though Eymerich decides in the affirmative, Bernardo di Como positively asserts the negative.*

From the necessity of these consultations with bishops and experts it is easy to understand the origin of the "*Sermo generalis*," or *auto de fé*. It was evidently impossible to bring all parties together to consult over each individual case, and convenience was not only served by allowing the cases to accumulate, but opportunity was also afforded of arranging an impressive solemnity which should strike terror on the heretic and comfort the hearts of the faithful. In the rudimentary Inquisition of Florence, in 1245, where the inquisitor Ruggieri Calcagni and Bishop Ardingho were zealously co-operating, and no assembly of experts was required, we find the heretics sentenced and executed day by day, singly or in twos or threes, but the form was already adopted of assembling the people in the cathedral and reading the sentence to them, when doubtless the occasion was improved of delivering a discourse upon the wickedness of dissent and the duty of all citizens to persecute the children of Satan. In Toulouse the fragment of the register of sentences of Bernard de Caux and Jean de Saint-Pierre, from March, 1246, to June, 1248, shows a similar disregard of form. The *autos* or *Sermones* are sometimes held every few days—there are five in May, 1246—and often there are only one or two heretics to be sentenced, rendering it exceedingly proba-

* Coll. Doat, XXVII. 118, 131, 133.—Eymerici Direct. Inq. p. 630.—Bernard. Comens. Lucerna Inquisitor. s. v. *Advocatus*.

ble that the co-operation of the bishop was not asked for, especially as he is never mentioned as joining in the condemnation. There are always present, however, a certain number of local magistrates, civil and ecclesiastical, and the ceremony is usually performed in the cloister of the church of St. Sernin, though other places are sometimes mentioned, and among them the Hotel-de-Ville twice, showing that divine service as yet formed no part of the solemnity.*

With time the ceremony grew in stateliness and impressiveness. Sunday became prescribed for it, and as no other sermons were allowed on that day in the city, it was forbidden to be held on Quadragesima or Advent Sunday, or any other of the principal feast-days. Notice was given in advance from all the pulpits summoning all the people to be present and obtain the indulgence of forty days. A staging was erected in the centre of the church, on which the "penitents" were placed, surrounded by the secular and clerical officials. The sermon was delivered by the inquisitor, after which the oath of obedience was administered to the representatives of the civil power, and a solemn decree of excommunication was fulminated against all who should in any manner impede the operations of the Holy Office. Then the notary commenced reading the confessions one by one in the vulgar tongue, and as each was finished the culprit was asked if he acknowledged it to be true--care being taken, however, only to do this when he was known to be truly penitent and not likely to create scandal by a denial. On his replying in the affirmative he was asked whether he would repent, or lose body and soul by persevering in heresy; and on his expressing a desire to abjure, the form of abjuration was read and he repeated it, sentence by sentence. Then the inquisitor absolved him from the *ipso facto* excommunication which he had incurred by heresy, and promised him mercy if he behaved well under the sentence about to be imposed. The sentence followed, and thus the penitents were brought foward successively, commencing with the least guilty and proceeding with those incurring severer penalties. Those who were to be "relaxed," or abandoned to the secular arm, were reserved to the last, and for them the ceremony was adjourned to the pub-

* Lami, Antichità Toscane, pp. 557-9.—Coll. Doat, XXXI. 139.—MSS. Bib. Nat., fonds latin, No. 9992.—Alex. PP. IV. Bull. *Præ cunctis*, § 15, 9 Nov. 1256.

lic square, where a platform had been constructed for the purpose, in order that the holy precincts of the church might not be polluted by a sentence leading to blood. For the same reason it was not to be performed on a holy day. The execution, however, was not to take place on the same day, but on the following, so as to afford the convicts time for conversion, that their souls might not pass from temporal to eternal flame, and care was enjoined not to permit them to address the people, lest sympathy should be aroused by their assertions of innocence.*

We can readily picture to ourselves the effect produced on the popular mind by these awful celebrations, when, at the bidding of the Inquisition, all that was great and powerful in the land was called together humbly to take the oath of obedience and witness its exercise of the highest expression of human authority, regulating the destinies of fellow-creatures here and hereafter. In the great *auto de fé* held by Bernard Gui at Toulouse, in April, 1310, the solemnities lasted from Sunday the 5th until Thursday the 9th. After the preliminary work of mitigating the penances of some deserving penitents, twenty persons were condemned to wear crosses and perform pilgrimages, sixty-five were consigned to perpetual imprisonment, three of them in chains, and eighteen were delivered to the secular justice and were duly burned. In that of April, 1312, fifty-one were sentenced to crosses, eighty-six to imprisonment, ten defunct persons were pronounced worthy of prison and their estates confiscated, the bones of thirty-six were ordered to be exhumed and burned, five living ones were handed over to the secular court to be burned, and five more condemned for contumacy in absenting themselves. The faith which could thus vindicate itself might certainly inspire the respect of fear if not the attraction of love. Sometimes, however, a godless heretic would interfere with the prescribed order of solemnities, as when, in October, 1309, Amiel de Perles, a noted Catharan teacher, who defiantly avowed his heterodoxy, immediately on his capture commenced the *endura* and refused all food and drink. Unwilling thus to be robbed of his victim, Bernard hastened the usual dila-

* Eymeric. Direct. Inquis. pp. 503–12.—Doctrina de modo Procedendi (Martene Thesaur. V. 1795–6).—Tract. de Paup. de Lugduno (Ib. 1792).—Lib. Sententt. Inquis. Tolosan. pp. 1, 6, 39, 98.

tory proceedings, and gave to Amiel the honor of a special *auto* in which he was the only victim. A similar case occurred in 1313, when a certain Pierre Raymond, who as a Catharan "*credens*" had been led to abjure and seek reconciliation in the *auto* of 1310, and had been condemned to imprisonment, repented of his weakness in his solitary cell. The mental tortures of the poor wretch grew so strong that at last he defiantly proclaimed his relapse into heresy, in which he declared he would live and die, only regretting that he could not have access to some minister of his faith in order to be "perfected" or "hereticated." He likewise placed himself in *endura*, and after six days of starvation, as he was evidently nearing the end which he so resolutely sought, he was hurriedly sentenced, and a small *auto* was arranged with a few other culprits in order that the stake might not be cheated of its prey.*

With such an organization as this, in the hands of able, vigorous, and earnest men, it shows the marvellous constancy of the heretics that the Cathari for a hundred years opposed to it the simple resistance of inertia, and that the Waldenses were never trampled out. The effectiveness of the organization was unhampered by any limits of jurisdiction, and was multiplied by the co-operation of the tribunals everywhere, so that there was no resting-place, no harbor of refuge for the heretic in any land where the Inquisition existed. Vainly might he change his abode, it was ever on his track. A suspicious stranger would be observed and arrested; his birthplace would be ascertained, and as soon as swift messengers could traverse the intervening distance, full official documents as to his antecedents would be received from the Holy Office of his former home. It was a mere matter of convenience whether he should be tried where he was caught or sent back, for every tribunal had full jurisdiction over all offences committed within its district, and over all such offenders wherever they should stray. When Jacopo della Chiusa, one of the assassins of St. Peter Martyr, discreetly absented himself, notices commanding his capture were sent as far as the Inquisition of Carcassonne. Of course, questions sometimes arose which seemed likely to give trouble. Before the Inquisition was thoroughly organized, Jayme I. of Ara-

* Lib. Sententt. Inquis. Tolosan. pp. 37, 39–93, 99–175. 178–9.

gon, in 1248, complained of the Tolosan inquisitor, Bernard de Caux, for citing his subjects to appear, and Innocent IV. commanded that the abuse should cease, an order which received but slack obedience; and with the growth of the Holy Office such reclamations were not likely to be repeated. Cases, of course, occurred, in which two tribunals would claim the same culprit, and in this the rule of the Council of Narbonne, in 1244, was generally observed, that he should be tried by the inquisitor who had first commenced prosecution. Considering, indeed, the abundant causes of jealousy, and especially the bitter rivalry between the Dominican and Franciscan Orders, the cases of quarrel seem to have been singularly few. Whatever there were, they were hushed up with prudent reserve, and with occasional exceptions we find a hearty and zealous co-operation in the holy work to which all were alike devoted.*

The implacable energy with which the resources of this organization were employed may be understood from one or two instances. Under the Hohenstaufens the two Sicilies had served as a refuge for many heretics self-exiled by the rigor of the Inquisition of Languedoc, and merciless as was Frederic when it suited him, his system was by no means so searching and unintermittent as that of the Holy Office. After his death, the active warfare between Manfred and the papacy doubtless left the heretics in comparative peace, but when Charles of Anjou conquered the kingdom as the vassal of Rome, it was at once thrown open and the French inquisitors made haste to pursue those who had eluded them. But seven months after the execution of Conradin, Charles issued his letters-patent, May 31, 1269, to all the nobles and magistrates of the realm, setting forth that the inquisitors of France were about coming or sending agents to track and seize the fugitive heretics who had sought refuge in Italy, and ordering his subjects to give them safe-conduct and assistance whenever they might require it. In

* Lib. Sententt. Inq. Tolosan. pp. 252–4.—MSS. Bib. Nat., fonds latin, 11847 *ad finem*.—Arch. de l'Inquis. de Carcassonne (Doat, XXXI. 83, 94–5).—Guid. Fulcod. Quæst. v.—Alex. PP. IV. Bull. *Cupientes*, 4 Mart. 1260.—Urbani PP. IV. Bull. *Licet ex omnibus*, § 11, 1262.—Ejusd. Bull. *Præ cunctis*, 2 Aug. 1264.—C. 2 Sexto v. 2.—Bern. Guidon Practica P. iv. (Doat, XXX.).—Zanchini Tract. de Hæret. c. viii.—Concil. Narbonn. ann. 1244 c. 20.—Eymeric. Direct. Inquis. pp. 461–5.

fact, the inquisitor's jurisdiction was personal as well as local, and it accompanied him. When, in 1359, some renegade converted Jews escaped from Provence to Spain, Innocent VI. authorized the Provençal inquisitor, Bernard du Puy, to follow them, arrest, try, condemn, and punish them wherever he might find them, with power to coerce the aid of the secular authorities everywhere; and he wrote at the same time to the kings of Aragon and Castile, instructing them to give to Bernard all necessary assistance.*

How the same tireless and unforgiving zeal was habitually brought to bear upon the humblest objects is seen in the case of Arnaud Ysarn, who, when a youth of fifteen, was condemned at Toulouse in 1309, after an imprisonment of two years, to wear crosses and perform certain pilgrimages, his sole offence being that he had once "adored" a heretic at the command of his father. He wore the insignia of his shame for more than a year, when, finding that they prevented him from earning a livelihood, he threw them off and obtained employment as a boatman on the Garonne between Moissac and Bordeaux. In his obscurity he might well fancy himself safe; but the inquisitorial police was too well organized, and he was discovered. Cited in 1312 to appear, he was afraid to do so, though urged by his father to take the chance of mercy. In 1315 he was excommunicated for contumacy, and, remaining under the censure for a year, he was finally declared a heretic, and was condemned as such in the *auto de fé* of 1319. In June, 1321, by command of Bernard Gui, he was captured at Moissac, but escaped on the road to be recaptured and taken to Toulouse. He had been guilty of no act of heresy during the interval, but his contumacious rejection of the parental chastisement of the Inquisition was an offence worthy of death, and he was mercifully treated in being condemned, in 1322, to imprisonment for life on bread and water. The net of the Inquisition extended everywhere, and no prey was too small to elude its meshes.†

The whole organization of the Church was at its service. In 1255 a Dominican of Alessandria, Frà Niccolò da Vercelli, confessed voluntarily some heretical beliefs to his sub-prior, who thereupon

* Archivio di Napoli, Registro 3, Lett. A, fol. 64. — Wadding. ann. 1359, No. 1–3.

† Lib. Sententt. Inq. Tolosan. pp. 350–1.

promptly ejected him. He entered a neighboring Cistercian convent, and then, fearing the pursuit of the Inquisition, quietly disappeared to some other convent beyond the Alps. There would not seem much to be feared from a heretic who would bury himself in the rigid Cistercian Order, and yet at once Alexander IV. issued letters to all Cistercian abbots and to all archbishops and bishops everywhere, commanding them to seize him and send him to Rainerio Saccone, the Lombard inquisitor.*

To render it an instrumentality perfect for the work assigned to it, all that was wanting to the Inquisition was its subjection to a chief who should command the implicit obedience of its members and weld the organization into an organic whole. This function the pope could perform but imperfectly amid the overwhelming diversity of his cares, and he needed a minister who, as inquisitor-general, could devote his undivided attention to the innumerable questions arising from the conflict between orthodoxy and heresy, and between papal supremacy and local episcopal independence. The importance of such a measure seems to have made itself felt at a comparatively early period, and in 1262 Urban IV. created a virtual inquisitor-general when he ordered all inquisitors to report, either in person or by letter, to Caietano Orsini, Cardinal of S. Niccolò in carcere Tulliano, all impediments to the due performance of their functions, and to obey the instructions which he might give. Cardinal Orsini speaks of himself as inquisitor-general, and he labored to bring the several tribunals into the closest relations with each other and subjection to himself. May 19, 1273, we find him ordering the Italian inquisitors to furnish to the inquisitors of France facilities for the transcription of all the depositions of witnesses already on record in their archives, as well as of all future ones. The perpetual migration of Catharans and Waldenses between France and Italy rendered this information most valuable, and the French inquisitors had requested it of him, but the excessive diffuseness of the inquisitorial documents made the task appalling in magnitude and cost, and the terms of the cardinal's missive show that it was not expected to be welcome. Whether any further attempt was made to carry out this gigantic

* Ripoll I. 285.

plan, which would have so greatly multiplied the effectiveness of the Inquisition, does not appear, but its conception shows the view entertained by Orsini of the powers of his office and of the possibilities of what the Inquisition might become under energetic supervision. Another letter of his, dated May 24, 1273, to the inquisitors of France, indicates that for a time at least the general instructions to the functionaries of the Holy Office were issued through him.*

We have no further evidence of his activity, but his elevation to the papacy in 1277, as Nicholas III., may possibly indicate that the position was one which afforded abundant opportunities of influence, perhaps rendering its possessor disagreeably, if not dangerously powerful, and when Nicholas appointed his nephew, Cardinal Latino Malebranca, as his successor in the office vacated by his elevation, he may have felt it necessary to secure himself by keeping the position in his family. Malebranca was Dean of the Sacred College, and his influence was shown when, in 1294, he ended the weary conflict of the conclave by procuring the election of the hermit, Pietro Morrone, as pope, under the name of Celestin V. He did not survive the short pontificate of Celestin, and the proud and vigorous Boniface VIII. regarded it as impolitic or unnecessary to continue the office. It remained in abeyance under the Avignonese popes, until Clement VI. revived it for William, Cardinal of S. Stefano in Monte Celio, who signalized his zeal by burning several heretics, and in other ways. After his death the post remained vacant, and at no time does it appear to have exercised any special influence over the development and activity of the Inquisition.†

* Ripoll I. 434.—Pegnæ Comment. in Eymeric. pp. 406–7.—Wadding. Annal. Regest. Nich. PP. III. No. 10.—Arch. de l'Inq. de Carcassonne (Doat, XXXII. 101).—Raynald. ann. 1278, No. 78.—MSS. Bib. Nat., fonds latin, No. 14930, fol. 218.

† Paramo de Orig. Offic. S. Inquis. pp. 124–5.—Wadding. Annal. ann. 1294, No. 1.—Milman, Latin Christianity, IV. 487.

CHAPTER IX.

THE INQUISITORIAL PROCESS.

THE procedure of the episcopal courts, as described in a former chapter, was based on the principles of the Roman law, and whatever may have been its abuses in practice, it was equitable in theory, and its processes were limited by strictly defined rules. In the Inquisition all this was changed, and if we would rightly appreciate its methods we must understand the relations which the inquisitor conceived to exist between himself and the offenders brought before his tribunal. As a judge, he was vindicating the faith and avenging God for the wrongs inflicted on him by misbelief. He was more than a judge, however, he was a father-confessor striving for the salvation of the wretched souls perversely bent on perdition. In both capacities he acted with an authority far higher than that of an earthly judge. If his sacred mission was accomplished, it mattered little what methods were used. If the offender asked mercy for his unpardonable crime it must be through the most unreserved submission to the spiritual father who was seeking to save him from the endless torment of hell. The first thing demanded of him when he appeared before the tribunal was an oath to stand to the mandates of the Church, to answer truly all questions asked of him, to betray all heretics known to him, and to perform whatever penance might be imposed on him; and refusal to take this oath was to proclaim himself at once a defiant and obstinate heretic.*

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* Arch. de l'Inquis. de Carcassonne (Doat, XXXI. 5, 103).—Zanchini Tract. de Hæret. c. ix.

In the Cismontane Inquisition the preliminary oath seems only to pledge the accused to tell the truth as to himself and others (Eymeric. p. 421). In Italy, however, it was the more elaborate affair described in the text. In the trials of the Guglielmites at Milan, in 1300, the accused were, in addition, made to impose

The duty of the inquisitor, moreover, was distinguished from that of the ordinary judge by the fact that the task assigned to him was the impossible one of ascertaining the secret thoughts and opinions of the prisoner. External acts were to him only of value as indications of belief, to be accepted or rejected as he might deem them conclusive or illusory. The crime he sought to suppress by punishment was purely a mental one—acts, however criminal, were beyond his jurisdiction. The murderers of St. Peter Martyr were prosecuted, not as assassins, but as fautors of heresy and impeders of the Inquisition. The usurer only came within his purview when he asserted or showed by his acts that he considered usury no sin; the sorcerer when his incantations proved that he preferred to rely on the powers of demons rather than those of God, or that he entertained wrongful notions upon the sacraments. Zanghino tells us that he witnessed the condemnation of a concubinary priest by the Inquisition, who was punished not for his licentiousness, but because while thus polluted he celebrated daily mass and urged in excuse that he considered himself purified by putting on the sacred vestments. Then, too, even doubt was heresy; the believer must have fixed and unwavering faith, and it was the inquisitor's business to ascertain this condition of his mind.* External acts and verbal professions were as naught. The accused might be regular in his attendance at mass; he might be liberal in bis oblations, punctual in confession and communion, and yet be a heretic at heart. When brought before the tribunal he might profess the most unbounded submission to the decisions of the Holy See, the strictest adherence to orthodox doctrine, the freest readiness to subscribe to whatever was demanded of him,

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on themselves, in case of violating its pledges, a forfeit varying from ten to fifty imperial lire, to secure which they pledged to the inquisitor all their property, real and personal, and renounced all legal defence. Moreover, this pecuniary penalty was not to relieve them from the canonical punishment attendant upon the non-fulfilment of the obligations assumed. This, I presume, was the official formula customary in the Lombard Inquisition.—Ogniben Andrea, I Guglielmiti del Secolo XIII., Perugia, 1867, pp. 5–6, 13, 27, 35, 37, etc.

In some witch trials of 1474 in Piedmont the oath to tell the truth was enforced with excommunication and "*tratti di corde*," or infliction of the torture known as the strappado, varying from ten to twenty-five times—and also with pecuniary forfeits.—P. Vayra (Curiosità di Storia Subalpina, 1875, pp. 682, 693).

* Zanchini Tract. de Hæret. c. ii.

and yet be secretly a Catharan or a Vaudois, fit only for the stake. Few, indeed, were there who courageously admitted their heresy when brought before the tribunal, and to the conscientious judge, eager to destroy the foxes which ravaged the vineyard of the Lord, the task of exploring the secret heart of man was no easy one. We cannot wonder that he speedily emancipated himself from the trammels of recognized judicial procedure which, in preventing him from committing injustice, would have rendered his labors futile. Still less can we be surprised that fanatic zeal, arbitrary cruelty, and insatiable cupidity rivalled each other in building up a system unspeakably atrocious. Omniscience alone was capable of solving with justice the problems which were the daily routine of the inquisitor; human frailty, resolved to accomplish a predetermined end, inevitably reached the practical conclusion that the sacrifice of a hundred innocent men were better than the escape of one guilty.

Thus of the three forms of criminal actions, accusation, denunciation, and inquisition, the latter necessarily became, in place of an exception, the invariable rule, and at the same time it was stripped of the safeguards by which its dangerous tendencies had been in some degree neutralized. If a formal accuser presented himself, the inquisitor was instructed to discourage him by pointing out the danger of the *talio* to which he was exposed by inscribing himself; and by general consent this form of action was rejected in consequence of its being "litigious"—that is, because it afforded the accused some opportunities of defence. That there was danger to the accuser, and that the Inquisition practically discouraged the process, was shown in 1304, when an inquisitor, Frà Landulfo, imposed a fine of one hundred and fifty ounces of gold on the town of Theate because it had officially accused a man of heresy and had failed in the proof. The action by denunciation was less objectionable, because in it the inquisitor acted *ex officio*; but it was unusual, and the inquisitorial process at an early period became substantially the only one followed.*

* Eymeric. Direct. Inquis. pp. 413–17.—Archivio di Napoli, Reg. 138, Lett. F, fol. 105.

To appreciate the contrast between the processes of the Inquisition and of the secular courts, it will suffice to allude to the practice of the latter in Milan in the first half of the fourteenth century. An accuser bringing a criminal action was

Not only, as we shall see, were its safeguards withdrawn, but virtually the presumption of guilt was assumed in advance. About 1278 an experienced inquisitor lays down the rule as one generally received, that in places much suspected of heresy every inhabitant must be cited to appear, must be forced to abjure heresy and to tell the truth, and be subjected to a detailed interrogatory about himself and others, in which any lack of frankness will subject him hereafter to the dreadful penalties of relapse. That this was not a mere theoretical proposition appears from the great inquests held by Bernard de Caux and Jean de Saint-Pierre in 1245 and 1246, when there are recorded two hundred and thirty interrogatories of inhabitants of the little town of Avignonet, one hundred of those of Fanjeaux, and four hundred and twenty of Mas-Saintes-Puelles.*

From this responsibility there was no escape for any one who had reached the age at which the Church held him able to answer for his own acts. What this age was, however, was a subject of dispute. The Councils of Toulouse, Béziers, and Albi assumed it to be fourteen for males and twelve for females, when they prescribed the oath of abjuration to be taken by the whole population, and

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obliged to inscribe himself and to furnish ample security that in case of failure he would undergo the fitting penalty and indemnify the accused for all expenses; in default of security he was to remain in jail until the end of the trial. The judge was, moreover, bound to render his decision within three months.

If the judge proceeded by inquisition he was obliged to give the accused notice in advance. The latter was entitled to counsel and to have the names and testimony of the witnesses communicated to him, and the judge was required, under a penalty of fifty lire, to complete the matter within thirty days.—Statuta Criminalia Mediolani, e tenebris in lucem edita, Bergami, 1594, c. 1–3, 153.

It is true that, under the influence of the Inquisition, the lay courts outgrew these wholesome provisions against injustice, but meanwhile it is important to bear them in mind when considering the secrecy, the delays, and the practical denial of justice in every way which characterized the proceedings against heretics. The gradual demoralization of the secular courts under these influences was a subject of complaint. In 1329 the consuls of Béziers represented to Philippe de Valois that his judges were neglecting to take from accusers proper security to indemnify the accused in case of the failure of the prosecution, and the king promptly ordered the abuse to be corrected.—Vaissette, Éd. Privat, X. Pr. 687.

* Doctrina de modo procedendi (Martene Thesaur. V. 1805).—Molinier, L'Inquisition dans le midi de la France, pp. 186–7.

this rule was adopted by some authorities. Others contented themselves with the definition that the child must be old enough to understand the purport of an oath, while there were not wanting high authorities who reduced the age of responsibility to seven years, and those who more charitably fixed it at nine and a half for girls and ten and a half for boys. It is true that in Latin countries, where minority did not cease until the age of twenty-five, no one beneath that age had a standing in court, but this was readily evaded by appointing for him a "curator," under whose shadow he could be tortured and condemned; and when we are told that no one below the age of fourteen should be tortured, we are left to conjecture the minimum age of responsibility for heresy.*

Nor could the offender escape by absenting himself. Absence was contumacy and only increased his guilt, by adding a fresh and unpardonable offence, besides being technically tantamount to confession. In fact, before the Inquisition was thought of, the inquisitorial process was rendered absolute in ecclesiastical jurisprudence precisely to meet such cases, as when Innocent III. degraded the Bishop of Coire on evidence taken *ex parte* by his commissioners, after the bishop had repeatedly refused to appear before them; and the importance of this decision is shown by the fact that Raymond of Pennaforte embodied it in the canon law to prove that in cases of contumacy the testimony taken in an *inquisitio* was valid ground for condemnation without a *litis contestatio* or contest between the prosecution and the defence. Accordingly, when a party failed to appear, after due citation published in his parish church and proper delay, there was no hesitation in proceeding against him to conviction *in absentia*—the absence of the culprit being piously supplied by "the presence of God and the Gospels" when the sentence was rendered. Contumacious absence, in fact, was in itself enough. Frederic II. in his earliest edict, in 1220, following the Lateran Council of 1215, had declared that the suspect who

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* Concil. Tolosan. ann. 1229 c. 10.—Concil. Biterrens. ann. 1244 c. 31.—Concil. Albiens. ann. 1254 c. 5.—Modus examinandi hæreticos (Mag. Bib. Patrum XIII. 341).—Joan. Andreæ Gloss. sup. c. 13 Sexto v. 2.—Pegnæ Comment. in Eymeric. p. 490.—Bernardi Comens. Lucerna Inquis. s. vv. *Minor*, *Tortura* No. 33.

did not clear himself within twelve months was to be condemned as a heretic, and this was applied to the absent, who were ordered to be sentenced after a year's excommunication, whether anything was proved against them or not. Enduring excommunication for a year without seeking its removal was evidence of heresy as to the sacraments and the power of the keys, if as to nothing else; and some authorities were so rigid with regard to this that the Council of Béziers denounced the punishment of heresy for all who remained excommunicate for forty days. Even the delay of a twelvemonth, however, was evaded, for inquisitors were instructed when citing the absent to summon them, not only to appear, but to purge themselves within a given time, and then as soon as it had elapsed the accused was held to be convicted. Yet the extreme penalty of relaxation was rarely enforced in such cases, and the Inquisition contented itself generally with imprisoning for life those against whom no offence was proved save contumacy, unless, indeed, when caught they refused to submit and abjure.*

As little was there any escape by death. It mattered not that the sinner had been called to the judgment-seat of God, the faith must be vindicated by his condemnation and the faithful be edified by his punishment. If he had incurred only imprisonment or the lighter penalties, his bones were simply dug up and cast out. If his heresy had deserved the stake, they were solemnly burned. A simulacrum of defence was allowed to heirs and descendants, on whom were visited the heavy penalties of confiscation and personal disabilities. How unflagging was the zeal with which these mortuary prosecutions were sometimes carried on is visible in the case of Armanno Pongilupo of Ferrara, over whose remains war was waged between the Bishop and the Inquisitor of Ferrara for

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* C. 8 Extra II. 14.—Concil. Narbonn. ann. 1244 c. 19.—Concil. Biterrens. ann. 1246 c. 8; Append. c. 14.—Guid. Fulcod. Quæst. VI.—Coll. Doat, XXI. 143. —Eymeric. Direct. Inq. pp. 382, 495, 528–31.—Lib. Sententt. Inq. Tolosan. pp. 175, 367–74.—Zanchini Tract. de Hæret. c. ii., viii., ix.—MSS. Bib. Nat., fonds latin, No. 14930, fol. 221.—Bernardi Comens. Lucerna Inquisit. s. vv. *Contumax*, *Convincitur*.—Concil. Lateran. IV. ann. 1215 c. 28.—Hist. Diplom. Frid. II. T. II. p. 4.—Concil. Albiens. ann. 1254 c. 28.—Alex. PP. IV. Bull. *Consultationi vestræ*, 28 Mai. 1260.—C. 13 Extra. v. 38 (cf. Concil. Trident. Sess. 25 de Reform. c. 3). —Arch. de l'Inq. de Carcass. (Doat, XXXI. 83).—Bernardi Comens. Lucerna Inquisit. s. v. *Procedere*, No. 10.

thirty-two years after his death, in 1269, ending with the triumph of the Inquisition in 1301. No prescription of time barred the Church in these matters, as the heirs and descendants of Gherardo of Florence found when, in 1313, Frà Grimaldo the inquisitor commenced a successful prosecution against their ancestor who had died prior to 1250.*

At best the inquisitorial process was a dangerous one in its conjunction of prosecutor with judge, and when it was first introduced in ecclesiastical jurisprudence careful limitations to prevent abuse were felt to be absolutely essential. The danger was doubled when the prosecuting judge was an earnest zealot bent on upholding the faith and predetermined on seeing in every prisoner before him a heretic to be convicted at any cost; nor was the danger lessened when he was merely rapacious and eager for fines and confiscations. Yet the theory of the Church was that the inquisitor was an impartial spiritual father whose functions in the salvation of souls should be fettered by no rules. All the safeguards which human experience had shown to be necessary in judicial proceedings of the most trivial character were deliberately cast aside in these cases, where life and reputation and property through three generations were involved. Every doubtful point was decided "in favor of the faith." The inquisitor, with endless iteration, was empowered and instructed to proceed summarily, to disregard forms, to permit no impediments arising from judicial rules or the wrangling of advocates, to shorten the proceedings as much as possible by depriving the accused of the ordinary facilities of defence, and by rejecting all appeals and dilatory exceptions. The validity of the result was not to be vitiated by the omission at any stage of the trial of the forms which had been devised to prevent injustice and subject the judge to responsibility.†

* Muratori, Antiquitat. Ital. Dissert. 60.—Zanchini Tract. de Hæret. c. xxiv., xl.—Lami, Antichità Toscane, p. 497.

† Alex. PP. IV. Bull. *Præ cunctis*, § 11, 9 Nov. 1256.—Ejusd. Bull. *Cupientes*, 10 Dec. 1257; 4 Mart. 1264.—Urbani PP. IV. Bull. *Licet ex omnibus*, 1262 (Mag. Bull. Rom. I. 122).—Ejusd. Bull. *Præ cunctis*, 2 Aug. 1264.—Clement. PP. IV. Bull. *Præ cunctis*, 23 Feb. 1266.—C. 20 Sexto v. 2.—Joan. Andreæ Gloss. sup. eod.—C. 2 Clement. v. 11.—Bernardi Guidonis Practica P. IV. (Doat, XXX.).—Eymeric. Direct. Inq. p. 583.

Had the proceedings been public, there might have been some check upon this hideous system, but the Inquisition shrouded itself in the awful mystery of secrecy until after sentence had been awarded and it was ready to impress the multitude with the fearful solemnities of the *auto de fé*. Unless proclamation were to be made for an absentee, the citation of a suspected heretic was made in secret. All knowledge of what took place after he presented himself was confined to the few discreet men selected by his judge, who were sworn to inviolable silence, and even the experts assembled to consult over his fate were subjected to similar oaths. The secrets of that dismal tribunal were guarded with the same caution, and we are told by Bernard Gui that extracts from the records were to be furnished rarely and only with the most careful discretion. Paramo, in the quaint pedantry with which he ingeniously proves that God was the first inquisitor and the condemnation of Adam and Eve the first model of the inquisitorial process, triumphantly points out that he judged them in secret, thus setting the example which the Inquisition is bound to follow, and avoiding the subtleties which the criminals would have raised in their defence, especially at the suggestion of the crafty serpent. That he called no witnesses is explained by the confession of the accused, and ample legal authority is cited to show that these confessions were sufficient to justify the conviction and punishment. If this blasphemous absurdity raises a smile, it has also its melancholy side, for it reveals to us the view which the inquisitors themselves took of their functions, assimilating themselves to God and wielding an irresponsible power which nothing short of divine wisdom could prevent from being turned by human passions into an engine of the most deadly injustice. Released from all the restraint of publicity and unrestricted by the formalities of law, the procedure of the Inquisition, as Zanghino tells us, was purely arbitrary. How the inquisitors construed their powers and what use they made of their discretion we shall have abundant opportunity of seeing hereafter.*

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* Doctrina de modo procedendi (Martene Thesaur. V. 1811-12).—Concil. Biterrens. ann. 1246, Append. c. 16.—Arch. de l'Inq. de Carcassonne (Doat, XXVII. 156, 162, 178).—Bern. Guidon. Gravamina (Doat, XXX. 102).—Ejusd. Practica (Doat, XXIX. 94).—Eymeric. Direct. Inquis. pp. 631-33.—Jacob. Laudens. Orat. ad

The ordinary course of a trial by the Inquisition was this. A man would be reported to the inquisitor as of ill-repute for heresy, or his name would occur in the confessions of other prisoners. A secret inquisition would be made and all accessible evidence against him would be collected. He would then be secretly cited to appear at a given time, and bail taken to secure his obedience, or if he were suspected of flight, he would be suddenly arrested and confined until the tribunal was ready to give him a hearing. Legally there required to be three citations, but this was eluded by making the summons "one for three;" when the prosecution was based on common report the witnesses were called apparently at random, making a sort of drag-net, and when the mass of surmises and gossip, exaggerated and distorted by the natural fear of the witnesses, eager to save themselves from suspicion of favoring heretics, grew sufficient for action, the blow would fall. The accused was thus prejudged. He was assumed to be guilty, or he would not have been put on trial, and virtually his only mode of escape was by confessing the charges made against him, abjuring heresy, and accepting whatever punishment might be imposed on him in the shape of penance. Persistent denial of guilt and assertion of orthodoxy, when there was evidence against him, rendered him an impenitent, obstinate heretic, to be abandoned to the secular arm and consigned to the stake. The process thus was an exceedingly simple one, and is aptly summarized by an inquisitor of the fifteenth century in an argument against admitting the accused to bail. If one is caught in heresy, by his own confession, and is impenitent, he is to be delivered to the secular arm to be put to death; if penitent, he is to be thrust in prison for life, and therefore is not to be let loose on bail. If he denies, and is legitimately convicted by witnesses, he is, as an impenitent, to be delivered to the secular court to be executed.*

Concil. Constant. (Von der Hardt. III. 60).—Paramo de Orig. Offic. S. Inquis. pp. 32-33.—Zanchini Tract. de Hæret. c. ix.

* Eymeric. Direct. Inq. pp. 413, 418, 423-4, 461-5, 521-4.—Zanchini Tract. de Hæret. c. ix.—Bernardi Comens. Lucerna Inquisit. s. v. *Impœnitens*.—Albertin. Repert. Inquis. s. v. *Cautio*.

The contrast between this and the secular jurisprudence of the thirteenth century is illustrated in the charter granted by Alphonse of Poitiers to the town of Auzon (Auvergne), about 1260. Any one accused of crime by common report

Yet many reasons led the inquisitor earnestly to desire to secure confession. In numerous cases—indeed, no doubt in a majority—the evidence, while possibly justifying suspicion, was of too loose and undefined a character to justify condemnation, for every idle rumor was taken up, and any flimsy pretext which led to prosecution assumed importance when the inquisitor found himself bound to show that he had not acted unadvisedly, or when he had in prospect fines and confiscations for the benefit of the faith. Even when the evidence was sufficient, there were motives equally strong to induce the inquisitor to labor with his prisoner in the hope of leading him to withdraw his denial and throw himself upon the mercy of the tribunal. Except in the somewhat rare cases of defiant heretics, confession was always accompanied with professions of conversion and repentance. Not only thus was a soul snatched from Satan, but the new convert was bound to prove his sincerity by denouncing all whom he knew or might suspect to be heretic, thus opening fresh avenues for the extirpation of heresy.

Bernard Gui, copying an earlier inquisitor, tells us eloquently that when the external evidence was insufficient for conviction, the mind of the inquisitor was torn with anxious cares. On the one side, his conscience pained him if he punished one who was neither confessed nor convicted; but he suffered still more, knowing by constant experience the falsity and cunning and malice of these men, if he allowed them to escape through their vulpine astuteness, to the damage of the faith. In such case they were strengthened and multiplied, and rendered keener than ever, while the laity were scandalized at seeing the inefficiency of the Inquisition, baffled in its undertakings, and its most learned men played with and defied by rude and illiterate persons, for they believed the inquisitors to have all the proofs and arguments of the faith so ready at hand that no heretic could elude them or prevent their converting him. From this it is easy to see how the self-conceit of the inquisitor led him inevitably to conviction. In another passage he points out

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could clear himself by his own oath and that of a single legal conjurator, unless there was a legitimate plaintiff or accuser; and no one could be tried by the inquisitorial process without his own consent.—Chassaing, Spicilegium Brivatense, Paris, 1886, p. 92.

how greatly profitable to the faith was the conversion of such persons, because not only were they obliged to betray their fellows and the hiding-places and conventicles of darkness, but those whom they had influenced were more ready to acknowledge their errors and seek in turn to be converted. As early as 1246 the Council of Béziers had pointed out the utility of such conversions, and had instructed the inquisitors to spare no pains in procuring them, and all subsequent authorities evidently regarded this as the first of their duties. They all agree, moreover, in holding delation of accomplices as the indispensable evidence of true conversion. Without this the repentant heretic in vain might ask for reconciliation and mercy; his refusal to betray his friends and kindred was proof that he was unrepentant, and he was forthwith handed over to the secular arm, exactly as in the Roman law a converted Manichæan who consorted with Manichæans without denouncing them to the authorities was punishable with death. How useful this was is seen in the case of Saurine Rigaud, whose confession is recorded at Toulouse in 1254, where it is followed by a list of one hundred and sixty-nine persons incriminated by her, their names being carefully tabulated with their places of residence for immediate action. How strictly, moreover, the duty of the reconciled heretic was construed is seen in the fate of Guillem Sicrède at Toulouse in 1312. He had abjured and been reconciled in 1262. Fifty years afterwards, in 1311, he had been present at the death-bed of his brother, where heretication had been performed, and he had failed to betray it, though he had vainly objected to it. When asked for his reasons, he simply said that he had not wished to injure his nephews, and for this, in 1312, he was imprisoned for life. Delation was so indispensable to the Inquisition that it was to be secured by rewards as well as by punishments. Bernard Gui tells us that those who voluntarily come forward and prove their zeal by confession and by betraying all their associates are not only to be pardoned, but their livelihood must be secured at the hands of princes and prelates; while betraying a single "perfected" heretic insured immunity and perhaps additional reward.*

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* Bernard. Guidon. Practica P. IV., v. (Doat, XXX.).—Concil. Biterrens. ann. 1246, Append. c. 16.—Tractat. de Paup. de Lugdun. (Martene Thesaur. V. 1791–4).—Anon. Passaviens. (Mag. Bib. Pat. XIII. 308).—Const. xvi. Cod. I., v.—Molinier,

The inquisitor's anxiety to secure confession was well grounded, not only through the advantages thus secured, but to satisfy his own conscience. In ordinary crimes, a judge was usually certain that an offence had been committed before he undertook to prosecute a prisoner accused of murder or theft. In many cases, however, the inquisitor could have no assurance that there had been any crime. A man might be reasonably suspected, he might have been seen conversing with those subsequently proved to be heretics, he might have given them alms or other assistance, he might even have attended a meeting of heretics, and yet be thoroughly orthodox at heart; or he might be a bitter heretic and yet have given no outward sign. His own assertion of orthodoxy, his willingness to subscribe to the faith of Rome, went for nothing, for experience had proved that most heretics were willing to subscribe to anything, and that they had been trained by persecution to conceal their beliefs under the mask of rigid orthodoxy. Confession of heresy thus became a matter of vital importance, and no effort was deemed too great, no means too repulsive, to secure it. This became the centre of the inquisitorial process, and it is deserving of detailed consideration, not only because it formed the basis of procedure in the Holy Office, but also because of the vast and deplorable influence which it exercised for five centuries on the whole judicial system of Continental Europe.

The first and readiest means was, of course, the examination of the accused. For this the inquisitor prepared himself by collecting and studying all the adverse evidence that could be procured, while the prisoner was kept in sedulous ignorance of the charges against him. Skill in interrogation was the one pre-eminent requisite of the inquisitor, and manuals prepared by experienced brethren for the benefit of the younger officials are full of details with regard to it and of carefully prepared forms of interrogations suited for every heretical sect. Constant training developed a class of acute and subtle minds, practised to read the thoughts of the accused, skilled to lay pitfalls for the incautious, versed in every art to confuse, prompt to detect ambiguities, and quick to take advan-

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L'Inquisition dans le midi de la France, p. 240.—Lib. Sententt. Inq. Tolosan. p. 147.—Epist. Petri Card. Alban. (Doat, XXXI. 5).—Bernard. Guidon. Gravamina (Doat, XXX. 114).

tage of hesitation or contradiction. Even in the infancy of the institution the consuls of Narbonne complained to those of Nîmes that the inquisitors, in their efforts to entrap the unwary, did not hesitate to make use of dialectics as sophistical as those with which students encountered each other in scholastic diversion. Nothing more ludicrous can well be imagined than the complaints of these veteran examiners, restricted by no rules, of the shrewd duplicity of their victims, who struggled, occasionally with success, to avoid criminating themselves, and they sought to explain it by asserting that wicked and shameless priests instructed them how to equivocate on points of faith.*

An experienced inquisitor drew up for the guidance of his successors a specimen examination of a heretic, to show them the quibbles and tergiversations for which they must be prepared when dealing with those who shrank from boldly denying their faith. Its fidelity is attested by Bernard Gui reproducing it fifty years later in his "Practica," and it is too characteristic an illustration of the encounter between the trained intellect of the inquisitor and the untutored shrewdness of the peasant struggling to save his life and his conscience, to be omitted.

"When a heretic is first brought up for examination, he assumes a confident air, as though secure in his innocence. I ask him why he has been brought before me. He replies, smiling and courteous, 'Sir, I would be glad to learn the cause from you.'

"I. 'You are accused as a heretic, and that you believe and teach otherwise than Holy Church believes.'

"A. (Raising his eyes to heaven, with an air of the greatest faith) 'Lord, thou knowest that I am innocent of this, and that I never held any faith other than that of true Christianity.'

"I. 'You call your faith Christian, for you consider ours as false and heretical. But I ask whether you have ever believed as true another faith than that which the Roman Church holds to be true?'

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* Bernard. Guidon. Practica P. v. (Doat, XXX.).—Modus examinandi Hæreticos (Mag. Bib. Pat. XIII. 342).—Tractat. de Paup. de Lugd. (Martene Thesaur. V. 1793-4).—MS. Vatican, No. 8668 (Ricchini, Prolog. ad Monetam, p. xxiii.).—Anon. Passav. (Mag. Bib. Pat. XIII. 301).—Molinier, L'Inq. dans le midi de la France, p. 234.—Alex. PP. IV. Bull. *Quod super nonnullis*, § 10, 15 Dec. 1258.

"A. 'I believe the true faith which the Roman Church believes, and which you openly preach to us.'

"I. 'Perhaps you have some of your sect at Rome whom you call the Roman Church. I, when I preach, say many things, some of which are common to us both, as that God liveth, and you believe some of what I preach. Nevertheless you may be a heretic in not believing other matters which are to be believed.'

"A. 'I believe all things that a Christian should believe.'

"I. 'I know your tricks. What the members of your sect believe you hold to be that which a Christian should believe. But we waste time in this fencing. Say simply, Do you believe in one God the Father, and the Son, and the Holy Ghost?'

"A. 'I believe.'

"I. 'Do you believe in Christ born of the Virgin, suffered, risen, and ascended to heaven?'

"A. (Briskly) 'I believe.'

"I. 'Do you believe the bread and wine in the mass performed by the priests to be changed into the body and blood of Christ by divine virtue?'

"A. 'Ought I not to believe this?'

"I. 'I don't ask if you ought to believe, but if you do believe.'

"A. 'I believe whatever you and other good doctors order me to believe.'

"I. 'Those good doctors are the masters of your sect; if I accord with them you believe with me; if not, not.'

"A. 'I willingly believe with you if you teach what is good to me.'

"I. 'You consider it good to you if I teach what your other masters teach. Say, then, do you believe the body of our Lord Jesus Christ to be in the altar?'

"A. (Promptly) 'I believe.'

"I. 'You know that a body is there, and that all bodies are of our Lord. I ask whether the body there is of the Lord who was born of the Virgin, hung on the cross, arose from the dead, ascended, etc.?'

"A. 'And you, sir, do you not believe it?'

"I. 'I believe it wholly.'

"A. 'I believe likewise.'

"I. 'You believe that I believe it, which is not what I ask, but whether you believe it.'

"A. 'If you wish to interpret all that I say otherwise than simply and plainly, then I don't know what to say. I am a simple and ignorant man. Pray don't catch me in my words.'

"I. 'If you are simple, answer simply, without evasions.'

"A. 'Willingly.'

"I. 'Will you then swear that you have never learned anything contrary to the faith which we hold to be true?'

"A. (Growing pale) 'If I ought to swear, I will willingly swear.'

"I. 'I don't ask whether you ought, but whether you will swear.'

"A. 'If you order me to swear, I will swear.'

"I. 'I don't force you to swear, because as you believe oaths to be unlawful, you will transfer the sin to me who forced you; but if you will swear, I will hear it.'

"A. 'Why should I swear if you do not order me to?'

"I. 'So that you may remove the suspicion of being a heretic.'

"A. 'Sir, I do not know how unless you teach me.'

"I. 'If I had to swear, I would raise my hand and spread my fingers and say, "So help me God, I have never learned heresy or believed what is contrary to the true faith."'

"Then trembling as if he cannot repeat the form, he will stumble along as though speaking for himself or for another, so that there is not an absolute form of oath and yet he may be thought to have sworn. If the words are there, they are so turned around that he does not swear and yet appears to have sworn. Or he converts the oath into a form of prayer, as 'God help me that I am not a heretic or the like;' and when asked whether he had sworn, he will say: 'Did you not hear me swear?' And when further hard pressed he will appeal, saying 'Sir, if I have done amiss in aught, I will willingly bear the penance, only help me to avoid the infamy of which I am accused through malice and without fault of mine.' But a vigorous inquisitor must not allow himself to be worked upon in this way, but proceed firmly till he makes these people confess their error, or at least publicly abjure heresy, so that if they are subsequently found to have sworn falsely, he can, with-

out further hearing, abandon them to the secular arm. If one consents to swear that he is not a heretic, I say to him, 'If you wish to swear so as to escape the stake, one oath will not suffice for me, nor ten, nor a hundred, nor a thousand, because you dispense each other for a certain number of oaths taken under necessity, but I will require a countless number. Moreover, if I have, as I presume, adverse witnesses against you, your oaths will not save you from being burned. You will only stain your conscience without escaping death. But if you will simply confess your error, you may find mercy.' Under this anxiety, I have seen some confess."*

The same inquisitor illustrates the ease with which the cunning of these simple folk fenced and played with the best-trained men of the Holy Office by a case in which he saw a serving-wench elude the questions of picked examiners for several days together, and she would have escaped had there not by chance been found in her chest the fragment of a bone of a heretic recently burned, which she had preserved as a relic, according to one of her companions who had collected the bones with her. But the inquisitor does not tell us how many thousand good Catholics, confused by the awful game which they were playing, mystified with the intricacies of scholastic theology, ignorant how to answer the dangerous questions put to them so searchingly, and terrified with the threats of burning for persistent denial, despairingly confessed the crime of which they were so confidently assumed to be guilty, and ratified their conversion by inventing tales about their neighbors, while expiating the wrong by suffering confiscation and lifelong imprisonment.

Yet the inquisitor was frequently baffled in this intellectual digladiation by the innocence or astuteness of the accused. His resources, however, were by no means exhausted, and here we approach one of the darkest and most repulsive aspects of our theme. Human inconsistency, in its manifold development, has never exhibited itself in more deplorable fashion than in the instructions on this subject transmitted to their younger brethren by the veterans of the Holy Office—instructions intended for none but official eyes, and therefore framed with the utmost unreserve. Trained through long experience in an accurate knowledge of all that can move

* Tract. de Paup. de Lugduno (Martene Thes. V. 1793).—Cf. Bernard. Guidon. Practica P. v. (Doat, XXX.).

the human breast; skilled not only to detect the subtle evasions of the intellect, but to seek and find the tenderest point through which to assail the conscience and the heart; relentless in inflicting agony on body and brain, whether through the mouldering wretchedness of the hopeless dungeon protracted through uncounted years, the sharper pain of the torture-chamber, or by coldly playing on the affections; using without scruple the most violent alternatives of hope and fear; employing with cynical openness every resource of guile and fraud on wretches purposely starved to render them incapable of self-defence, the counsels which these men utter might well seem the promptings of fiends exulting in the unlimited power to wreak their evil passions on helpless mortals. Yet through all this there shines the evident conviction that they are doing the work of God. No labor is too great if they can win a soul from perdition; no toil too repulsive if they can bring a fellow-creature to an acknowledgment of his wrong-doing and a genuine repentance that will wipe out his sins; no patience too prolonged if it will avoid the unjust conviction of the innocent. All the cunning fence between judge and culprit, all the fraud, all the torture of body and mind so ruthlessly employed to extort unwilling confessions, were not necessarily used for the mere purpose of securing a victim, for the inquisitor was taught to be as earnest with the recalcitrants against whom he had sufficient testimony as with the cases in which evidence was deficient. With the former he was seeking to save a soul from immolating itself in the pride of obstinacy; with the latter he was laboring to preserve the sheep by not liberating an infected one to spread pestilence among the flock. It mattered little to the victim what were the motives actuating his persecutor, for conscientious cruelty is apt to be more cold-blooded and calculating, more relentless and effective, than passionate wrath, but the impartial student must needs recognize that while many inquisitors were doubtless dullards who followed unthinkingly a prescribed routine as a vocation, and others were covetous or sanguinary tyrants actuated only by self-interest or ambition, yet among them were not a few who believed themselves to be discharging a high and holy duty, whether they abandoned the impenitent to the flames, or by methods of unspeakable baseness rescued from Satan a soul which he had reckoned as his own. They were instructed that

it was better to let the guilty escape than to condemn the innocent, and, therefore, that they must have either clear proofs or confession. In the absence of absolute evidence, therefore, the very conscientiousness of the judge, under such a system, led him to resort to any means to satisfy himself by wringing an acknowledgment from his victim.*

The resources for procuring unwilling confession, at command of the inquisitor, may be roughly divided into two classes—deceit and torture, the latter comprehending both mental and physical pain, however administered. Both classes were resorted to freely and without scruple, and there was ample variety to suit the idiosyncrasies of all judges and prisoners.

Perhaps the mildest form of the devices to entrap an unwary prisoner was the recommendation that the examiner should always assume the fact of which he was in quest and ask about the details, as, for instance, "How often have you confessed as a heretic?" "In what chamber of yours did they lie?" Going a step further, the inquisitor is advised during the examination to turn over the pages of evidence as though referring to it, and then boldly inform the prisoner that he is not telling the truth, for it is thus and thus; or to pick up a paper and pretend to read from it whatever is necessary to deceive him; or he can be told circumstantially that some of the masters of the sect have incriminated him in their revelations. To render these devices more effective, the jailer was instructed to worm himself into the confidence of the prisoners, with feigned interest and compassion, and urge them to confess at once, because the inquisitor is a merciful man who will take pity on them. Then the inquisitor was to pretend that he had conclusive evidence, and that if the accused would confess and point out those who had led him astray, he should be allowed to go home forthwith, with any other blandishments likely to prove effective. A more elaborate trap was that of treating the prisoner with kindness in place of rigor; sending trusty agents to his cell to gain his confidence, and then urge him to confess, with promises of mercy and that they would intercede for him. When everything was ripe, the inquisitor himself would appear and confirm these promises, with the mental reservation

* Practica super Inquisitione (MSS. Bib. Nat., fonds latin, No. 14930, fol. 221).

that all which is done for the conversion of heretics is merciful, that penances are mercies and spiritual remedies, so that when the unlucky wretch was prevailed upon to ask for mercy in return for his revelations, he was to be led on with the general expression that more would be done for him than he asked.*

That spies should play a prominent part in such a system was inevitable. The trusty agents who were admitted to the prisoner's cell were instructed to lead him gradually on from one confession to another until they should gain sufficient evidence to incriminate him, without his realizing it. Converted heretics, we are told, were very useful in this business. One would be sent to visit him and say that he had only pretended conversion through fear, and after repeated visits overstay his time and be locked up. Confidential talk would follow in the darkness, while witnesses with a notary were crouching within earshot to take down all that might fall from the lips of the unconscious victim. Fellow-prisoners were utilized whenever possible, and were duly rewarded for treachery. In the sentence of a Carmelite monk, January 17, 1329, guilty of the most infamous sorceries, it is recorded in extenuation of his black catalogue of guilt, that while in prison with sundry heretics he had aided greatly in making them confess and had revealed many important matters which they had confided to him, from which the Inquisition had derived great advantage and hoped to gain more.†

These artifices were diversified with appeals to force. The heretic, whether acknowledged or suspected, had no rights. His body was at the mercy of the Church, and if through tribulation of the flesh he could be led to see the error of his ways, there was no hesitation in employing whatever means were readiest to save his soul and advance the faith. Among the miracles for which St. Francis was canonized it is related that a certain Pietro of Assisi was captured in Rome on an accusation of heresy, and confided for conversion to the Bishop of Todi, who loaded him with chains and fed him on measured quantities of bread and water in a dark dungeon. Thus brought through suffering to repentance, on the

*Tract. de Paup. de Lugduno (Martene Thesaur. V. 1793).—Eymeric. Direct. Inq. pp. 433–4.—Modus examinandi Hæreticos (Mag. Bib. Pat. XIII. 341).

†Tract. de Paup. de Lugduno (Martene Thesaur. V. 1787–88).—Eymeric. p. 434.—Archives de l'Inq. de Carcass. (Doat, XXVII. 150).

vigil of St. Francis he invoked the saint for help with passionate tears. Moved by his zeal, St. Francis appeared to him and ordered him forth. His chains fell off and the doors flew open, but the poor wretch was so crazed by the sudden answer to his prayer that he clung to the doorpost with cries which brought the jailers running to him. The pious bishop hastened to the prison, and reverently acknowledging the power of God, sent the shivered fetters to the pope in token of the miracle. Even more illustrative and better authenticated is a case related with much gratulation by Nider as occurring when he was teaching in the University of Vienna. A heretic priest, thrown into prison by his bishop, proved obstinate, and the most eminent theologians who labored for his conversion found him their match in disputation. Believing that vexation brings understanding, they at length ordered him to be bound tightly to a pillar. The cords eating into the swelling flesh caused such exquisite torture that when they visited him the next day he begged piteously to be taken out and burned. Coldly refusing, they left him for another twenty-four hours, by which time physical pain and exhaustion had broken his spirit. He humbly recanted, retired to a Paulite monastery, and lived an exemplary life.*

It will readily be believed that there was scant hesitation in employing any methods likely to crush the obduracy of the prisoner who refused the confession and recantation demanded of him. If he were likely to be reached through the affections, his wife and children were admitted to his cell in hopes that their tears and pleadings might work on his feelings and overcome his convictions. Alternate threats and blandishments were tried; he would be removed from his foul and dismal dungeon to commodious quarters, with liberal diet and a show of kindness, to see if his resolution would be weakened by alternations of hope and despair. Master of the art of playing upon the human heart, the trained inquisitor left no method untried which promised victory in the struggle between him and the helpless wretch abandoned to his experiments. Among these, one of the most efficient was the slow torture of delay. The prisoner who refused to confess, or whose confession was deemed imperfect, was remanded to his cell, and left to pon-

* Wadding. Annal. ann. 1238, No. 45.—Nideri Formicar. Lib. III. c. 10.

der in solitude and darkness. Except in rare cases time was no object with the Inquisition, and it could afford to wait. Perhaps in a few weeks his resolution might break down, and he might ask to be heard. If not, six months might elapse before he was again called up for hearing. If still obstinate he would be again sent back. Months would lengthen into years, perhaps years into decades, and find him still unconvicted and still a prisoner, hopeless and despairing. Should friendly death not intervene, the terrible patience of the Inquisition was nearly certain to triumph in the end, and the authorities all agree upon the effectiveness of delay. This explains what otherwise would be hard to understand—the immense protraction of so many of the inquisitorial trials whose records have reached us. Three, five, or ten years are common enough as intervals between the first audience of a prisoner and his final conviction, nor are instances wanting of even greater delays. Bernalde, wife of Guillem de Montaigu, was imprisoned at Toulouse in 1297, and made a confession the same year, yet she was not formally sentenced to imprisonment until the *auto* of 1310. I have already alluded to the case of Guillem Garric, brought to confess at Carcassonne in 1321 after a detention of nearly thirty years. In the *auto de fé* of 1319, at Toulouse, Guillem Salavert was sentenced, who had made an unsatisfactory confession in 1299 and another in 1316; to the latter he had unwaveringly adhered, and at last Bernard Gui, overcome by his obstinacy, let him off with the penance of wearing crosses, in consideration of his twenty years' imprisonment without conviction. At the same *auto* were sentenced six wretches who had recently died in prison, two of whom had made their first confession in 1305, one in 1306, two in 1311, and one in 1315. Nor was this hideous torture of suspense peculiar to any special tribunal. Guillem Salavert was one of those implicated in the troubles of Albi in 1299, when many of the accused were speedily tried and sentenced by the bishop, Bernard de Castenet, and Nicholas d'Abbeville, inquisitor of Carcassonne, but some were reserved for the harder fate of detention without trial. The intervention of the pope was sought, and in 1310 Clement V. wrote to the bishop and the inquisitor, giving the names of ten of them, including some of the most respectable citizens of Albi, who had lain for eight years or more in jail awaiting judgment, many of them in

chains and all in narrow, dark cells. His order for their immediate trial was disobeyed, and in a subsequent letter he speaks of several of them having died before his previous epistle, and reiterated his command for the prompt disposal of the survivors. The Inquisition was a law unto itself, however, and again his mandate was disregarded. In 1319, besides Guillem Salavert, two others, Guillem Calverie and Isarn Colli, were brought from their dungeon and retracted their confessions which had been extorted from them by torture. Calverie figured with Salavert in the *auto* of Toulouse in the same year. When Colli was sentenced we do not know, but in the accounts of Arnaud Assalit, royal steward of confiscations, for 1322-3, there appears the property of "Isarnus Colli condemnatus," showing his ultimate fate. In the *auto* of 1319, moreover, occur the names of two citizens of Cordes, Durand Boissa and Bernard Ouvrier (then deceased), whose confessions date respectively from 1301 and 1300, doubtless belonging to the same unfortunate group, who had eaten their hearts in despair and misery for a score of years.*

When it was desired to hasten this slow torture, the object was easily accomplished by rendering the imprisonment unendurably harsh. As we shall see hereafter, the dungeons of the Inquisition at best were abodes of fearful misery, but when there was reason for increasing their terrors there was no difficulty in increasing the hardships. The "*durus carcer et arcta vita*" — chains and starvation in a stifling hole—was a favorite device for extracting confession from unwilling lips. We shall meet hereafter an atrocious instance of this inflicted on a witness, as early as 1263, when the ruin of the great house of Foix was sought. It was pointed out that judicious restriction of diet not only reduced the body but weakened the will, and rendered the prisoner less able

* Eymeric. Direct. Inquis. 514, 521.—Concil. Biterrens. ann. 1246, Append. c. 17.—Innoc. PP. IV. Bull. *Illius vicis*, 12 Nov. 1247.—Lib. Confess. Inq. Albiens. (MSS. Bib. Nat., fonds latin, 11847).—Bernard. Guidon. Practica P. v. (Doat, XXX.).—Doctrina de modo procedendi (Martene Thesaur. V. 1795).—Molinier, l'Inq. dans le midi de la France, p. 330.—Archives de l'Inq. de Carcass. (Doat, XXVII. 7 sqq.).—Lib. Sententt. Inq. Tolosan. pp. 22, 76, 102, 118-50, 158-62, 184, 216-18, 220-1, 228, 244-8, 266-7, 282-5.—Archives de l'Inq. de Carcassonne (Doat, XXXIV. 89).—Archives de l'hôtel-de-ville d'Albi (Doat, XXXIV. 45).—Coll. Doat, XXXIV. 189.

to resist alternate threats of death and promises of mercy. Starvation, in fact, was reckoned as one of the regular and most efficient methods to subdue unwilling witnesses and defendants. In 1306 Clement V. declared, after an official investigation, that at Carcassonne prisoners were habitually constrained to confession by the harshness of the prison, the lack of beds, and the deficiency of food, as well as by torture.*

With all these resources at their command, it might seem superfluous for inquisitors to have recourse to the vulgar and ruder implements of the torture-chamber. The rack and strappado, in fact, were in such violent antagonism, not only with the principles of Christianity, but with the practices of the Church, that their use by the Inquisition, as a means of furthering the faith, is one of the saddest anomalies of that dismal period. I have elsewhere shown how consistently the Church opposed the use of torture, so that, in the barbarism of the twelfth century, Gratian lays it down as an accepted rule of the canon law that no confession is to be extorted by torment. Torture, moreover, except among the Wisigoths, had been unknown among the barbarians who founded the commonwealths of Europe, and their system of jurisprudence had grown up free from its contamination. It was not until the study of the revived Roman law, and the prohibition of ordeals by the Lateran Council of 1215, which was gradually enforced during the first half of the thirteenth century, that jurists began to feel the need of torture and accustom themselves to the idea of its introduction. The earliest instances with which I have met occur in the Veronese Code of 1228 and the Sicilian Constitutions of Frederic II. in 1231, and in both of these the references to it show how sparingly and hesitatingly it was employed. Even Frederic, in his ruthless edicts, from 1220 to 1239, makes no allusion to it, but, in accordance with the Verona decree of Lucius III., prescribes the recognized form of canonical purgation for the trial of all suspected heretics. Yet it rapidly won its way in Italy, and when Innocent IV., in 1252, published his bull *Ad extirpanda*, he adopted it, and authorized its use for the discovery of

* Archives de l'Inq. de Carcassonne (Doat, XXXI. 57).—Vaissette, III. Pr. 551-3.—Tract. de Paup. de Lugd. (Martene Thesaur. V. 1787).—Joann. Andreæ Gloss. sup. c. 1, Clement. v. 3.—Bernard. Guidon. Practica P. v. (Doat. XXX.).—Arch. de l'Inq. de Carcassonne (Doat, XXXIV. 45).

heresy. A decent respect for the old-time prejudices of the Church, however, forbade him to allow its administration by the inquisitors themselves or their servitors. It was the secular authorities who were ordered to force all captured heretics to confess and accuse their accomplices, by torture which should not imperil life or injure limb, "just as thieves and robbers are forced to confess their crimes and accuse their accomplices." The unrepealed canons of the Church, in fact, prohibited all ecclesiastics from being concerned in such acts, and even from being present where torture was administered, so that the inquisitor whose zeal should lead him to take part in it was thereby rendered "irregular" and unfit for sacred functions until he could be "dispensed" or purified. This did not suit the policy of the institution. Possibly outside of Italy, where torture was as yet virtually unknown, it found difficulty in securing the co-operation of the public officials; everywhere it complained that this cumbrous mode of administration interfered with the profound secrecy which was an essential characteristic of its operations. But four years after the bull of Innocent IV., Alexander IV., in 1256, removed the difficulty with characteristic indirection by authorizing inquisitors and their associates to absolve each other, and mutually grant dispensations for irregularities—a permission which was repeatedly reiterated, and which was held to remove all impediment to the use of torture under the direct supervision of the inquisitor and his ministers. In Naples, where the Inquisition was but slenderly organized, we find the public officials used by it as torturers until the end of the century, but elsewhere it speedily arrogated the administration of torment to its own officials. Even in Naples, however, Frà Tomaso d'Aversa is seen, in 1305, personally inflicting the most brutal tortures on the Spiritual Franciscans; and when he found it impossible in this manner to make them convict themselves, he employed the ingenious expedient of starving for a few days one of the younger brethren, and then giving him strong wine to drink; when the poor wretch was fuddled there was no difficulty in getting him to admit that he and his twoscore comrades were all heretics.*

* Superstition and Force, 3d Ed. 1878, pp. 419–20. — Lib. Jur. Civ. Veronæ, ann. 1228, c. 75. — Constit. Sicular. Lib. I. Tit. 27. — Frid. II. Edict. 1220, § 5. —

Torture saved the trouble and expense of prolonged imprisonment; it was a speedy and effective method of obtaining what revelations might be desired, and it grew rapidly in favor with the Inquisition, while its extension throughout secular jurisprudence was remarkably slow. In 1260 the charter granted by Alphonse of Poitiers to the town of Auzon specially exempts the accused from torture, no matter what the crime involved. This shows that its use was gradually spreading, and already, in 1291, Philippe le Bel felt himself called upon to restrain its abuses; in letters to the seneschal of Carcassonne he alludes to the newly-introduced methods of torture in the Inquisition, whereby the innocent were convicted and scandal and desolation pervaded the land. He could not interfere with the internal management of the Holy Office, but he sought a corrective in forbidding indiscriminate arrests at the sole bidding of the inquisitors. As might be expected, this was only a palliative; callous indifference to human suffering grows by habit, and the misuse of this terrible method of coercion continued to increase. When the despairing cry of the population induced Clement V. to order an investigation into the iniquities of the Inquisition of Carcassonne, the commission issued to the cardinals sent thither in 1306 recites that confessions were extorted by torture so severe that the unfortunates subjected to it had only the alternative of death; and in the proceedings before the commissioners the use of torture is so frequently alluded to as to leave no doubt of its habitual employment. It is a noteworthy fact, however, that in the fragmentary documents of inquisitorial proceedings which have reached us the references to torture are singularly few. Apparently it was felt that to record its use

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Innoc. PP. IV. Bull. *Ad extirpanda*, § 26.—Concil. Autissiodor. ann. 578 c. 33.—Concil. Matiscon. II. ann. 585 c. 19.—Alex. PP. IV. Bull. *Ut negotium*, 7 Julii, 1256 (Doat, XXXI. 196); Ejusd. Bull. *Ne inquisitionis*, 19 Apr. 1259.—Urban. PP. IV. Bull. *Ut negotium*, 1260, 1262 (Ripoll, I. 430; Mag. Bull. Rom. I. 132).—Clement. PP. IV. Bull. *Ne inquisitionis*, 13 Jan. 1266.—Bern. Guidon. Pract. P. IV. (Doat. XXX.).—Pegnæ Comment. in Eymeric. p. 593.—Archivio di Napoli, MSS. Chioccarello, T. VIII.—Historia Tribulationum (Archiv für Litt. u. Kirchengeschichte, 1886, p. 324).

The earliest allusion to the use of torture in Languedoc is in 1254, when St. Louis forbade its use on the testimony of a single witness, even in the case of poor persons.—Vaissette, Éd. Privat, VIII. 1348.

would in some sort invalidate the force of the testimony. Thus, in the cases of Isarn Colli and Guillem Calverie, mentioned above, it happens to be stated that they retracted their confessions made under torture, but in the confessions themselves there is nothing to indicate that it had been used. In the six hundred and thirty-six sentences borne upon the register of Toulouse from 1309 to 1323 the only allusion to torture is in the recital of the case of Calverie, but there are numerous instances in which the information wrung from the convicts who had no hope of escape could scarce have been procured in any other manner. Bernard Gui, who conducted the Inquisition of Toulouse during this period, has too emphatically expressed his sense of the utility of torture on both principals and witnesses for us to doubt his readiness in its employment.*

The result of Clement's investigation in 1306 led to an effort at reform which was agreed to in the Council of Vienne in 1311, but with customary indecision Clement delayed the publication of the considerable body of legislation adopted by the council until his death, and it was not issued till October, 1317, by his successor John XXII. Among the abuses which he sought to limit was that of torture, and to this end he ordered that it should not be administered without the concurrent action of bishop and inquisitor if this could be had within the space of eight days. Bernard Gui emphatically remonstrated against this as seriously crippling the efficiency of the Inquisition, and he proposed to substitute for it the meaningless phrase that torture should only be used with mature and careful deliberation, but his suggestion was unheeded, and the Clementine regulation remained the law of the Church.†

The inquisitors, however, were too little accustomed to restraint in any form to submit long to this infringement on their privileges. It is true that disobedience rendered the proceedings void, and the unhappy wretch who was unlawfully tortured without episcopal

* Chassaing, Spicilegium Brivatense, p. 92.— Vaissette, IV. Pr. 97–8.—Archives de l'hôtel-de-ville d'Albi (Doat, XXXIV. 45 sqq.).—Lib. Confess. Inq. Albiens. (MSS. Bib. Nat., fonds latin, 11847).—Lib. Sententt. Inq. Tolosan. pp. 46–78, 132, 169–74, 180–2, 266–7.— Bern. Guidon. Practica P. iv. v. (Doat, XXX.).

† C. 1, § 1, Clement. v. 3.—Bern. Guidon. Gravamina (Doat, XXX. 100, 120).—Eymeric. Direct. Inq. p. 422.—Zanchini Tract. de Hæret. c. xv.

consultation could appeal to the pope, but this did not undo the work; Rome was distant, and the victims of the Inquisition for the most part were too friendless and too helpless to protect themselves in such illusory fashion. In Bernard Gui's "Practica," written probably about 1328 or 1330, he only speaks of consultation with experts, making no allusions to bishops; Eymeric adheres to the Clementines, but his instructions as to what is to be done in case of their disregard shows how frequent was such action; while Zanghino boldly affirms that the canon is to be construed as permitting torture by either bishop or inquisitor. In some proceedings against the Waldenses of Piedmont in 1387, if the accused did not confess freely on a first examination an entry was made that the inquisitor was not content, and twenty-four hours were given the prisoner to amend his statements; he would be tortured and brought back next morning in a more complying frame of mind, when a careful record would be made that his confession was without torture and aloof from the torture-chamber. Cunning casuists, moreover, discovered that Clement had only spoken of torture in general and had not specifically alluded to witnesses, whence they concluded that one of the most shocking abuses of the system, the torture of witnesses, was left to the sole discretion of the inquisitor, and this became the accepted rule. It only required an additional step to show that after the accused had been convicted by evidence or had confessed as to himself, he became a witness as to the guilt of his friends and thus could be arbitrarily tortured to betray them. Even when the Clementines were observed, the limit of eight days enabled the inquisitor to proceed independently after waiting for that length of time.*

While witnesses who were supposed to be concealing the truth

* Eymeric. Direct. Inq. pp. 453–5.—Bern. Guidon. Practica P. v. (Doat, XXX.).—Zanchini Tract. de Hæret. c. ix., xiv.—Processus contra Waldenses (Archivio Storico Italiano, No. 38, pp. 20, 22, 24, etc.).—Pauli de Leazariis Gloss. sup. c. 1, Clem. v. 3.—Silvest. Prieriat. de Strigimagar. Mirand. Lib. III. c. 1.—Bernard. Comens. Lucerna Inquisit. s. vv. *Jejunia*, *Tortura*.

That the Clementines had practically fallen into desuetude is shown by Carlo III. of Savoy, in 1506, procuring from Julius II. as a special privilege that in his territories the inquisitors should not send to prison or pronounce sentence without the concurrence of the episcopal ordinaries, and this was enlarged in 1515 by Leo X. by requiring their assent for all arrests.—Sclopis, Antica Legislazione del Piemont, p. 484.

could be tortured as a matter of course, there was some discussion among jurists as to the amount of adverse evidence that would justify placing the accused on the rack. Unless there was some colorable reason to believe that the crime of heresy had been committed, evidently there was no excuse for the employment of such means of investigation. Eymerich tells us that when there are two incriminating witnesses, a man of good reputation can be tortured to ascertain the truth, while if he is of evil repute he can be condemned without it or can be tortured on the evidence of a single witness. Zanghino, on the other hand, asserts that the evidence of a single witness of good character is sufficient for the authorization of torture, without distinction of persons, while Bernardo di Como says that common report is enough. In time elaborate instructions were drawn up for the guidance of inquisitors in this matter, but their uselessness was confessed in the admission that, after all, the decision was to be left to the discretion of the judge. How little sufficed to justify the exercise of this discretion is seen when jurists held it to be sufficient if the accused, on examination, was frightened and stammered and varied in his answers, without any external evidence against him.*

In the administration of torture the rules adopted by the Inquisition became those of the secular courts of Christendom at large, and therefore are worth brief attention. Eymerich, whose instructions on the subject are the fullest we have, admits the grave difficulties which surrounded the question, and the notorious uncertainty of the result. Torture should be moderate, and effusion of blood be scrupulously avoided, but then, what was moderation? Some prisoners were so weak that at the first turn of the pulleys they would concede anything asked them; others so obstinate that they would endure all things rather than confess the truth. Those who had previously undergone the experience might be either the stronger or the weaker for it, for with some the arms were hardened, while with others they were permanently weakened. In short, the discretion of the judge was the only rule.

Both bishop and inquisitor ought rightfully to be present. The prisoner was shown the implements of torment and urged to con-

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* Eymeric. pp. 480, 592, 614.—Zanchini Tract. de Hæret. c. ix.—Bernardi Comens. Lucerna Inquis. s. vv. *Indicium*, *Tortura* No. 19, 25.

fess. On his refusal he was stripped and bound by the executioners and again entreated to speak, with promises of mercy in all cases in which mercy could be shown. This frequently produced the desired result, and we may be assured that the efficacy of torture lay not so much in what was extracted by its use as in the innumerable cases in which its dread, near or remote, paralyzed the resolution with agonizing expectations. If this proved ineffectual, the torture was applied with gradually increased severity. In the case of continued obstinacy additional implements of torment were exhibited and the sufferer was told that he would be subjected to them all in turn. If still undaunted, he was unbound, and the next or third day was appointed for renewal of the infliction. According to rule, torture could be applied but once, but this, like all other rules for the protection of the accused, was easily eluded. It was only necessary to order, not a repetition, but a "continuance" of the torture, and no matter how long the interval, the holy casuists were able to continue it indefinitely; or a further excuse would be found in alleging that additional evidence had been discovered, which required a second torturing to purge it away. During the interval fresh solicitations were made to elicit confession, and these being unavailing, the accused was again subjected to torment either of the same kind as before or to others likely to prove more efficacious. If he remained silent after torture, deemed sufficient by his judges, some authorities say that he should be discharged and that a declaration was to be given him that nothing had been proved against him; others, however, order that he should be remanded to prison and be kept there. The trial of Bernard Délicieux, in 1319, reveals another device to elude the prohibition of repeated torture, for the examiners could at any moment order the torture to satisfy their curiosity about a single point, and thus could go on indefinitely with others.

Any confession made under torture required to be confirmed after removal from the torture-chamber. Usually the procedure appears to be that the torture was continued until the accused signified his readiness to confess, when he was unbound and carried into another room where his confession was made. If, however, the confession was extracted during the torture, it was read over subsequently to the prisoner and he was asked if it were true: there was, indeed, a rule that there should be an interval of twenty-

four hours between the torture and the confession, or its confirmation, but this was commonly disregarded. Silence indicated assent, and the length of silence to be allowed for was, as usual, left to the discretion of the judge, with warning to consider the condition of the prisoner, whether young or old, male or female, simple or learned. In any case the record was carefully made that the confession was free and spontaneous, without the pressure of force or fear. If the confession was retracted, the accused could be taken back for a continuance of the torture—not, as we are carefully told, for a repetition—provided always that he had not been "sufficiently" tortured before.*

The question as to the retraction of confession was one which exercised to no small degree the inquisitorial jurists, and practice was not wholly uniform. It placed the inquisitor in a disagreeable position, and, in view of the methods adopted to secure confession, it was so likely to occur that naturally stringent measures were adopted to prevent it. Some authorities draw a distinction between confessions made "spontaneously" and those extorted by torture or its threat, but in practice the difference was disregarded. The most merciful view taken of revocation is that of Eymerich, who says that if the torture had been sufficient, the accused who persistently revokes is entitled to a discharge. In this Eymerich is alone. Some authorities recommend that the accused be forced to withdraw his revocation by repetition of torture. Others content themselves with regarding it as impeding the Inquisition, and as such including it in the excommunication regularly published by parish priests and at the opening of every *auto de fé*, and this excommunication included notaries who might wickedly aid in drawing up such revocations. The general presumption of law, how-

* Eymeric. Direct. Inq. pp. 480–2.—MSS. Bib. Nat., fonds latin, No. 4270, fol. 101, 146.—Responsa prudentum (Doat, XXXVII. 83 sqq.).—Bernardi Comens. Lucerna Inquis. s. vv. *Confessio*, *Torturæ*.

The care with which the inquisitors concealed the means by which confessions were procured is illustrated in the ratification obtained from Guillem Salavert in 1303, of his confession made three years before. He is made to declare it "esse veram, non factam vi tormentorum, amore, gratia, odio, timore, vel favore alicujus, non subornatus nec inductus minis vel blanditiis, seu seductus per aliquem, non amens nec stultus sed bona mente," etc. (MSS. Bib. Nat., fonds latin, No. 11847). Yet Salavert belonged to a group of victims on whom, as we shall see hereafter, torture was unsparingly used.

ever, was that the confession was true and the retraction a perjury, and the view taken of such cases was that the retraction proved the accused to be an impenitent heretic, who had relapsed after confession and asking for penance. As such there was nothing to be done with him but to hand him over to the secular arm for punishment without a hearing. It is true, that in the case of Guillem Calverie, thus condemned in 1319 by Bernard Gui for withdrawing his confession, the culprit was mercifully allowed fifteen days in which to revoke his revocation, but this was a mere exercise of the discretion customarily lodged with the inquisitor. How strictly the rule was construed which regarded revocation as relapse is seen in the remark of Zanghino, that if a man had confessed and abjured and been set free under penance, and if he subsequently remarked in public that he had confessed under fear of expense or to avoid heavier punishment, he was to be regarded as an impenitent heretic, liable to be burned as a relapsed. We shall see hereafter the full significance of this point in its application to the Templars. There was an additional question of some nicety which arose when the retracted confession incriminated others besides the accused; in this case the most merciful view taken was that, if it was not to be held good against them, the one who confessed was liable to punishment for false-witness. As no confession was sufficient which did not reveal the names of partners in guilt, those inquisitors who did not regard revocation as relapse could at least imprison the accused for life as a false witness.*

The inquisitorial process as thus perfected was sure of its victim. No one whom a judge wished to condemn could escape. The form in which it became naturalized in secular jurisprudence was less arbitrary and effective, yet Sir John Fortescue, the chancellor of Henry VI., who in his exile had ample opportunity to observe its working, declares that it placed every man's life or limb at the mercy of any enemy who could suborn two unknown witnesses to swear against him.†

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* Eymeric. Direct. Inquis. p. 481.—Bernardi Comens. Lucerna Inquis. s. vv. *Confessio*, *Impœnitens*, *Torturæ* No. 48.—Responsa prudentum (Doat, XXXVII. 83 sqq.).—Arch. de l'Inq. de Carcass. (Doat, XXVII. 126; XXXII. 251).—Lib. Sententt. Inq. Tolosan. pp. 266–7.—Zanchini Tract. de Hæret. c. xxiii.

† Fortescue de Laudibus Legum Angliæ, c. xxvii.

CHAPTER X.

EVIDENCE.

We have seen in the foregoing chapter the inevitable tendency of the inquisitorial process to assume the character of a duel between the judge and the accused with the former as the assailant. This deplorable result was the necessary outcome of the system and of the task imposed upon the inquisitor. He was required to penetrate the inscrutable heart of man, and professional pride perhaps contributed as much as zeal for the faith in stimulating him to prove that he was not to be baffled by the unfortunates brought before him in judgment.

In such a struggle as this the testimony of witnesses, for the most part, counted for little except as a basis for arrest and prosecution, and for threatening the accused with the unknown mass of evidence against him, and for this the slightest breath of scandal, even from a single person notoriously foul-mouthed, sufficed, without calling witnesses.* The real battlefield was the prisoner's conscience, and his confession the prize of victory. Yet the subject of evidence as treated by the Inquisition is not wholly to be passed over, for it affords fresh illustration of the manner in which the practice of construing everything "in favor of the faith" led to the development of the worst body of jurisprudence invented by man, and to the habitual perpetration of the foulest injustice. The matter-of-course way in which rules destructive of every principle of fairness are laid down by men presumably correct in the ordinary affairs of life affords a wholesome lesson as to the power of fanaticism to warp the intellect of the most acute.

This did not arise from any peculiar laxity of practice in the ordinary ecclesiastical courts. Their procedure, based upon the civil law, accepted and enforced its rules as to the admission of

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* Bernardi Comens. Lucerna Inquisit. s. vv. *Infamia*, *Inquisitores* No. 7.

evidence, and the onus of proof lay upon the assertor of a fact. Innocent III., in his instructions as to the Cathari of La Charité, reminded the local authorities that even violent presumptions were not proof, and were insufficient for condemnation in a matter so heinous—a rule which was embodied in the canon law, where it became for the inquisitors merely an excuse for obtaining certitude by extorting confession. How completely they felt themselves emancipated from all wholesome restraint is shown by the remarks of Bernard Gui—"The accused are not to be condemned unless they confess or are convicted by witnesses, though not according to the ordinary laws, as in other crimes, but according to the private laws or privileges conceded to the inquisitors by the Holy See, for there is much that is peculiar to the Inquisition." *

From almost the inception of the Holy Office there was an effort to lay down rules as to what constituted evidence of heresy; but the Council of Narbonne, in 1244, winds up an enumeration of the various indications by saying that it is sufficient if the accused can be shown to have manifested by any word or sign that he had faith or belief in heretics or considered them to be "good men" (*bos homes*). The kind of testimony received was as flimsy and impalpable as the facts, or supposed facts, sought to be proved. In the voluminous examinations and depositions which have reached us from the archives of the Inquisition we find the witnesses allowed and encouraged to say everything that may occur to them. Great weight was attached to popular report or belief, and to ascertain this the opinion of the witness was freely received, whether based on knowledge or prejudice, hearsay evidence, vague rumors, general impressions, or idle gossip. Everything, in fact, that could affect the accused injuriously was eagerly sought and scrupulously written down. In the determined effort to ruin the seigneurs de Niort, in 1240, of the one hundred and eight witnesses examined scarce one was able to speak of his own knowledge as to any act of the accused. In 1254 Arnaud Baud of Montréal was qualified as "suspect" of heresy because he continued to visit his mother and aided her in her need after she had been hereticated, though there was absolutely nothing else against him; only delivering her

* Fournier, Les officialités au moyen âge, pp. 177–8.—C. 14 Extra II. 28.—Bern. Guidon. Practica P. IV. (Doat, XXX.).

up to be burned would have cleared him. It became, in fact, a settled principle of law that either husband or wife knowing the other to be a heretic and not giving information within a twelvemonth was held to be a consenting party without further evidence, and was punishable as a heretic.*

Naturally the conscientious inquisitor recognized the vicious circle in which he moved and sought to satisfy himself that he could designate infallible signs which would justify the conclusion of heresy. There is ample store of such enumerated. Thus for the Cathari it sufficed to show that the accused had venerated one of the perfected, had asked a blessing, had eaten of the blessed bread or had kept it, had been voluntarily present at an heretication, had entered into the *convenansa* to be hereticated on the deathbed, etc. For the Waldenses such indications were considered to be the confessing of sins to and accepting penance from those known not to be regularly ordained by an orthodox bishop, praying with them according to their rites by bending the knees with them on a bench or other inclined object, being present with them when they pretended to make the Host, receiving "peace" from them, or blessed bread. All this was easily catalogued, but beyond it lay a region of doubt concerning which authorities differed. The Council of Albi, in 1254, declared that entering a house, in which a heretic was known to be, converted simple suspicion into vehement; and Bernard Gui mentions that some inquisitors held that visiting heretics, giving them alms, guiding them in their journeys, and the like was sufficient for condemnation, but he agrees with Gui Foucoix in not so considering it, as all this might be done through carnal affection or for hire. The heart of man, he adds, is deep and inscrutable, but he seeks to satisfy himself for attempting the impossible by arguing that all which cannot be explained favorably must be admitted as adverse proof. It is a noteworthy fact that in long series of interrogations there will frequently be not a single question as to the belief of the party making confession. The whole energy of the inquisitor was directed to obtaining statements of external acts. The upshot of it all necessarily was that almost

* Concil. Narbonn. ann. 1244 c. 29.—Trésor des chartes du roi en Carcassonne (Doat, XXI. 34).—Molinier, L'Inquisition dans le midi de la France, p. 342.—Livres de Jostice et de Plet, Liv. I. Tit. iii. § 7.

everything was left to the discretion of the inquisitor, whose temper had more to do with the result than the proof of guilt or its absence. How insignificant were the tokens on which a man's fate might depend may be understood by a single instance. In 1234 Accursio Aldobrandini, a Florentine merchant in Paris, made the acquaintance of some strangers with whom he conversed several times, giving their servant on one occasion ten sols, and bowing to them when they met, out of politeness. This latter act was equivalent to the "veneration" which was the crucial test of heresy, and when he chanced to learn that his new acquaintances were heretics he felt himself lost. Hastening to Rome, he laid the matter before Gregory IX., who exacted bail of him and sent a commission to the Bishop of Florence to investigate the antecedents of Accursio. The report was examined by the cardinals of Ostia and Preneste and found to be emphatic in commending his orthodoxy, so he escaped with a penance prescribed by Raymond of Pennaforte, the papal penitentiary, and Gregory wrote to the inquisitors of Paris not to molest him. Under such a system the most devout Catholic could never feel safe for a moment.*

Yet in spite of all these efforts to define the indefinable, it was in the very nature of things that absolute certitude could not, in a vast range of cases, be reached except through confession. In order, therefore, to avert the misfortune of acquitting those who could not be brought to confess, it became necessary to invent a new crime—that known as "suspicion of heresy." This opened a wide field for the endless subtleties and refinements in which the jurists of the schools delighted, rendering their so-called science of law a worthy rival of scholastic theology. Suspicion thus was primarily divided into three grades, designated as light, vehement, and violent, and the glossators revel in defining the amount and quality of evidence which renders the accused guilty of either of these, with the usual result that practically the matter was left to the discretion of the tribunal. That a man against whom nothing substantial was proved should be punished merely because he was suspected of guilt may seem to modern eyes a scant measure of jus-

* Concil. Albiens. ann. 1254 c. 27.—Guid. Fulcod. Quæst. IX.—Bern. Guidon. Practica P. IV. (Doat, XXX.).—Lib. Confess. Inq. Albiens. (MSS. Bib. Nat., fonds latin, 11847).—Ripoll, I. 72.

tice; but to the inquisitor it appeared a wrong to God and man that any one should escape against whose orthodoxy there rested a shadow of a doubt. Like much else taught by the Inquisition, this found its way into general criminal law, which it perverted for centuries.*

Two witnesses were usually assumed to be necessary for the condemnation of a man of good repute, though some authorities demanded more. Yet when a case threatened to fail for lack of testimony, the discretion of the inquisitor was the ultimate arbitrator; and it was agreed that if two witnesses to the same fact could not be had, single witnesses to two separate facts of the same general character would suffice. When there was only one witness in all, the accused was still put on his purgation. With the same determination to remove all obstacles in the way of conviction, if a witness revoked his testimony it was held that if his evidence had been favorable to the accused, the revocation annulled it; if adverse, the revocation was null.†

The same disposition to construe everything in favor of the faith governed the admissibility of witnesses of evil character. The Roman law rejected the evidence of accomplices, and the Church had adopted the rule. In the False Decretals it had ordered that no one should be admitted as an accuser who was a heretic or suspected of heresy, was excommunicate, a homicide, a thief, a sorcerer, a diviner, a ravisher, an adulterer, a bearer of false witness, or a consulter of diviners and soothsayers. Yet when it came to prosecuting heresy all these prohibitions were thrown to the winds. As early as the time of Gratian, infamous and heretical witnesses were receivable against heretics. The edicts of Frederic II. rendered heretics incapable of giving testimony, but this disability was removed when they testified against heretics.

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* Eymeric. Direct. Inq. pp. 376–81.—Zanchini Tract. de Hæret. c. iii.

† Archidiaconi Gloss. super c. xi. § 1 Sexto v. 2.—Joanu. Andreæ Gloss. sup. c. xiii. § 7 Extra v. 7.—Eymeric. Direct. Inquis. pp. 445, 615–16.—Guid. Fulcodii Quæst. xiv.—Zanchini Tract. de Hæret. c. xiii., xiv.—Bern. Guidon. Practica P. iv. (Doat, xxx.).

In the lay courts, if a witness swore to the innocence of the accused and subsequently changed his testimony, the first statement was held good and the second was rejected, but in cases of heresy the incriminating evidence was always received.—Ponzinibii de Lamiis c. 84.

That there was some hesitation on this point we see in the Legatine Inquisition held in Toulouse in 1229, where it is recorded that Guillem Solier, a converted heretic, was restored in fame in order to enable him to bear witness against his former associates, and even as late as 1260 Alexander IV. was obliged to reassure the French inquisitors that they could safely use the evidence of heretics; but the principle became a settled one, adopted in the canon law, and constantly enforced in practice. Without it, in fact, the Inquisition would have been deprived of its most fruitful means of tracking heretics. It was the same with excommunicates, perjurers, infamous persons, usurers, harlots, and all those who, in the ordinary criminal jurisprudence of the age, were regarded as incapable of bearing witness, yet whose evidence was receivable against heretics. All legal exceptions were declared inoperative except that of mortal enmity.*

In the ordinary criminal law of Italy no evidence was received from a witness under twenty, but in cases of heresy such testimony was taken, and, though not legal, it sufficed to justify torture. In France the distinction seems to have been less rigidly defined, and the matter probably was left, like so much else, to the discretion of the inquisitors. As the Council of Albi specifies seven years as the period at which all children were ordered to be made to attend church and learn the Creed, Paternoster, and Salutation to the Virgin, it may be safely assumed that below that age they would hardly be admitted to give testimony. In the records of the Inquisition the age of the witness is rarely stated, but I have met with one case, in 1244, after the capture of the pestilent nest of heretics at Montségur, where the Inquisition gathered so goodly a

* C.17 Cod. IX. ii. (Honor. 423).—Pseudo-Julii Epist. II. c. 18 (Gratiani Decret. P. II. caus. V. Q. 3, c. 5.—Pseudo-Eutychiani Epist. ad Episcopp. Siciliæ.—Gratiani Comment. in Decret. P. II. caus. II. Q. 7, c. 22; caus. VI. Q. 1, c. 19.—Hist. Diplom. Frid. II. T. IV. pp. 299-300.—Guill. Pod. Laur. c. 40.—Alex. PP. IV. Bull. *Consuluit*, 6 Mai. 1260 (Doat, XXXI. 205); Ejusd. Bull. *Quod super nonnullis*, 9 Dec. 1257; 15 Dec. 1258.—C. 5 Sexto v. 2.—C. 8 § 3 Sexto v. 2.—Concil. Biterrens. ann. 1246 c. 12.—Jacob. Laudun. Orat. in Cone. Constant. (Von der Hardt III. 60).—MSS. Bib. Nat., fonds latin, No. 14930, fol. 221.—Zanchini Tract. de Hæret. c. xi., xiii.—Eymeric. Direct. Inq. pp. 602-6.

Under the contemporary English law, criminals and accomplices were rejected as accusers, even in high-treason (Bracton, Lib. III. Tract. ii. cap. 3, No. 1).

harvest, when the age of a witness, Arnaud Olivier, happens to be mentioned as ten years. He admitted having been a Catharan "believer" since he had reached the age of discretion, and thus was responsible for himself and others. His evidence is gravely recorded against his father, his sister, and nearly seventy others; and in it he is made to give the names of sixty-six persons who were present about a year before at the sermon of a Catharan bishop. The wonderful exercise of so young a memory does not seem to have excited any doubts as to the validity of his testimony, which must have been held conclusive against the unfortunates enumerated, as he stated that they all "venerated" their prelate.*

Wives and children and servants were not admitted to give evidence in favor of the accused, but their testimony if adverse to him was welcomed, and was considered peculiarly strong. It was the same with the heretic, who, as we have seen, was freely admitted as an adverse witness, but who was rejected if appearing for the defence. In short, the only exception which could be taken to an accusing witness was malignity. If he was a mortal enemy of the prisoner it was presumed that his testimony was rather the prompting of hate than zeal for the faith, and it was required to be thrown out. In the case of the dead, the evidence of a priest that he had shriven the defunct and administered the *viaticum* went for nothing; but if he testified that the departed had confessed to being a heretic, had recanted, and had received absolution, then his bones were not exhumed and burned, but the heirs had to endure such penance of fine or confiscation as would have been inflicted on him if alive.†

Of course no witness could refuse to give evidence. No privilege or vow or oath released him from the duty. If he was unwilling and paltered or prevaricated and equivocated, there was the gentle persuasion of the torture-chamber, which, as we have seen,

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* Bernardi Comens. Lucerna Inquisit. s. v. *Testis*, No. 14.—Concil Albiens. ann. 1254 c. 18.—Coll. Doat, XXII. 237 sqq.

In the German feudal law of the period no witness was admitted below the age of eighteen.—Sächsisches Lehenrechtbuch, c. 49 (Daniels, Berlin, 1863, p. 113).

† Eymeric. Direct. Inq. pp. 611-13.—Concil. Narbonn. ann. 1244 c. 25.—Concil. Biterrens. ann. 1246 c. 14.—Arch. de l'Inq. de Carcass. (Doat, XXXI. 149).

was even more freely used on witnesses than on principals. It was the ready instrument by which any doubts as to the testimony could be cleared up; and it is fair to attribute to the sanction of this terrible abuse by the Inquisition the currency which it so long enjoyed in European criminal law. Even the secrecy of the confessional was not respected in the frenzied effort to obtain all possible information against heretics. All priests were enjoined to make strict inquiries of their penitents as to their knowledge of heretics and fautors of heresy. The seal of sacramental confession could not be openly and habitually violated, but the result was reached by indirection. When the confessor succeeded in learning anything he was told to write it down and then endeavor to induce his penitent to reveal it to the proper authorities. Failing in this, he was, without mentioning names, to consult God-fearing experts as to what he ought to do—with what effect can readily be conjectured, since the very fact of consulting as to his duty shows that the obligation of secrecy was not to be deemed absolute.*

After this glimpse at the inquisitorial system of evidence, we hardly need the assurance of the legists that less was required for conviction in heresy than in any other crime, and inquisitors were instructed that slender testimony was sufficient to prove it—"*probatur quis hæreticus ex levi causa.*" Yet evil as was all this, the crowning infamy of the Inquisition in its treatment of testimony was withholding from the accused all knowledge of the names of the witnesses against him. In the ordinary courts, even in the inquisitorial process, their names were communicated to him along with the evidence which they had given, and it will be remembered that when the Legate Romano held his inquest at Toulouse, in 1229, the accused followed him to Montpellier with de-

* Guid. Fulcod. Quæst. VIII.—Pegnæ Comment. in Eymeric. p. 601.—Zanchini Tract. de Hæret. c. xiii.—Doctrina de modo procedendi (Martene Thesaur. V. 1802).

Heresy, of course, was a "reserved" case for which the ordinary confessor could not give absolution. Thus a man of Realmont in Albigeois who repented of having been present at a Catharan conventicle went to a Franciscan and confessed, accepting the penance imposed of the minor pilgrimages and some other penitential acts. On his return from their performance, however, he was seized by the Inquisition, tried and imprisoned.—Vaissette, IV. 41.

mands to see the names of those who had testified against them, when the cardinal recognized their right to this, but eluded it by showing merely a long list of all the witnesses who had appeared during the whole inquest, giving as an excuse the danger to which they were exposed from the malevolence of those who had suffered by their evidence. That there was some risk incurred by those who destroyed their neighbors is true; the inquisitors and chroniclers mention that assassinations from this cause sometimes occurred—six being reported in Toulouse between 1301 and 1310. It would have been strange had this not been the case, nor was the chance of such wild justice altogether an unwholesome check upon the security of malevolence. Yet that so flimsy an excuse should have been systematically put forward shows merely that the Church recognized and was ashamed of its plain denial of justice, since no such precaution was deemed necessary in other criminal affairs. Already in 1244 and 1246 the councils of Narbonne and Béziers order the inquisitors not to indicate in any manner the names of the witnesses, alleging as a reason the "prudent wish" of the Holy See, although in the instructions of the Cardinal of Albano the saving clause of risk is expressed. When Innocent IV. and his successors regulated the inquisitorial procedure, the same limitation to cases in which divulging the names would expose the witnesses to danger was sometimes omitted and sometimes repeated, and when Boniface VIII. embodied in the canon law the rule of withholding the names he expressly cautioned bishops and inquisitors to act with pure intentions, not to withhold the names when there was no peril in communicating them, and if the peril ceased they were to be revealed. Yet it is impossible to regard all this as more than a decent veil of hypocrisy to cover recognized injustice, for it was a flagrant fact that inquisitors everywhere treated these exhortations as the councils of Narbonne and Béziers had treated the limitations prescribed by the Cardinal of Albano. Although in the inquisitorial manuals the limitation of risk is usually mentioned, the instructions with regard to the conduct of the trials always assume as a matter of course that the prisoner is kept in ignorance of the names of the witnesses against him. As early as the time of Gui Foucoix that jurist treats it as the universal practice; a nearly contemporary MS. manual lays it down as an invariable rule; and in the later periods we are coolly

informed by both Eymerich and Bernardo di Como that cases were rare in which risk did not exist; that it was great when the accused was rich and powerful, but greater still when he was poor and had friends who had nothing to lose. Eymerich evidently considers it much more decent to refuse the names than to adopt the expedients of some over-conscientious inquisitors who furnished, like Cardinal Romano, the names written on a different piece of paper and so arranged that their identification with their evidence was impossible, or who mixed up other names with those of the witnesses so as to confuse hopelessly the defence. Occasionally a less disreputable but almost equally confusing plan was adopted, in swearing a portion of the witnesses in the presence of the accused, while examining them in his absence. Thus in the trial of Bernard Délicieux, in 1319, out of forty-eight witnesses whose depositions are recorded, sixteen were sworn in his presence; in that of Huss, in 1414, it is mentioned that fifteen witnesses at one time were taken to his cell that he might see them sworn.*

From this withholding of names it was but a step to withholding the evidence altogether, and that step was sometimes taken. In truth the whole process was so completely at the arbitrary discretion of the inquisitor, and the accused was so wholly without rights, that whatever seemed good in the eyes of the former was allowable in the interest of the faith. Thus we are told that if a witness retracted his evidence, the fact should not be made known to the defendant lest it should encourage him in his defence, but the judge is recommended to bear it in mind when rendering

* Bernardi Comens. Lucerna Inquisit. s. v. *Probatio*, No. 3.—Archidiac. Gloss. sup. c. xi. § 1 Sexto v. 2.—Guill. Pod. Laur. c. 40.—Bern. Guidon. Gravamina (Doat, XXX. 102).—Concil. Narbonn. ann. 1244 c. 22.—Concil. Biterrens. ann. 1246 c. 4, 10.—Arch. de l'Inq. de Carc. (Doat, XXXI. 5).—Innoc. PP. IV. Bull. *Cum negotium*, 9 Mart. 1254; Ejusd. Bull. *Ut commissum*, 21 Jun. 1254.—Alex. PP. IV. Bull. *Licet vobis*, 7 Dec. 1255; Ejusd. Bull. *Præ cunctis*, § 6, 9 Nov. 1256; Ejusd. Bull. *Super extirpatione*, § 9, 1258.—Clem. PP. IV. Bull. *Licet ex omnibus*, 17 Sep. 1265.—Ejusd. Bull. *Præ cunctis*, 23 Feb. 1266.—Guid. Fulcod. Quæst. xv.—MSS. Bib. Nat., fonds latin, No. 14930, fol. 221.—C. 20 Sexto v. 2.—Bern. Guidon. Practica P. iv. (Doat, XXX.). — Responsa Prudentum (Doat, XXXVII.). — Eymeric. Direct. Inq. pp. 450, 610, 614, 626, 627. Cf. Pegnæ Comment. pp. 627–8.—MSS. Bib. Nat., fonds latin, No. 4270.—Bernardi Comens, Lucerna Inquisit. s. v. *Nomina*. — Mladenovic Relatio (Palacky Documenta Joannis Hus, pp. 252–3).

judgment. The tender care for the safety of witnesses even went so far that it was left to the conscience of the inquisitor whether or not to give the accused a copy of the evidence itself if there appeared to be danger to be apprehended from doing so. Relieved from all supervision, and practically not subject to appeals, it may be said that there were no rules which the inquisitor might not suspend or abrogate at pleasure when the exigencies of the faith seemed to require it.*

Among the many evils springing from this concealment, which released witnesses and accusers from all responsibility, not the least was the stimulus which it afforded to delation and the temptation created to gratify malice by reckless perjury. Even without any special desire to do mischief, an unfortunate, whose resolution had been broken down by suffering and torture, when brought at last to confess, might readily be led to make his story as satisfactory as possible to his tormentors by mentioning all names that might occur to him as being present at conventicles and heretications. There can be no question that the business of the Inquisition was greatly increased by the protection which it thus afforded to informers and enemies, and that it was made the instrument of an immense amount of false-witness. The inquisitors felt this danger and frequently took such precautions as they could without trouble, by warning a witness of the penalties incurred by perjury, making him obligate himself in advance to endure them, and rigidly questioning him as to whether he had been suborned. Occasionally, also, we find a conscientious judge like Bernard Gui carefully sifting evidence, comparing the testimony of different witnesses, and tracing out incompatibilities which proved that one at least was false. He accomplished this twice, once in 1312 and again in 1316, the earlier case presenting some peculiar features. A man named Pons Arnaud came forward spontaneously and accused his son Pierre of having endeavored to have him hereticated when laboring under apparently mortal sickness. The son denied it. Bernard, on investigation, found that Pons had not been sick at the date specified, and that there had been no heretics at the place named. Armed with this informa-

* Responsa Prudentum (Doat, XXXVII.).—Bernardi Comens. Lucerna Inquis. s. v. *Tradere*.—Zanchini Tract. de Hæret. c. ix.

tion he speedily forced the accuser to confess that he had fabricated the story to injure his son. Creditable as is this case to the inquisitor, it is hideously suggestive of the pitfalls which lay around the feet of every man; and no less so is an instance in which Henri de Chamay, Inquisitor of Carcassonne, in 1329, resolutely traced out a conspiracy to ruin an innocent man, and had the satisfaction of forcing five false-witnesses to confess their guilt. Rare instances such as these, however, offered but a feeble palliation for the inherent vices of the system, and in spite of the severe punishment meted out to those who were discovered, the crime was of very frequent occurrence. The security with which it could be committed renders it safe to assume that detection occurred in a very small proportion of the cases; so when among the scanty documents that have reached us we see six false-witnesses (of whom two were priests and one a clerk), sentenced at an *auto de fé* held at Pamiers in 1323; four at Narbonne in December, 1328; one, a few weeks after, at Pamiers; four more at Pamiers in January, 1329, and seven (one of whom was a notary) at Carcassonne in September, 1329, we may conclude that if the full records of the Inquisition were accessible, the list would be a frightful one, and would suggest an incalculable amount of injustice which remained undiscovered. We do not need the admission of Eymerich that witnesses are found frequently to conspire together to ruin an innocent man, and we may well doubt his assurance that persistent scrutiny by the inquisitor will detect the wrong. There is, perhaps, only a consistent exhibition of inquisitorial logic in the dictum of Zanghino, that a witness who withdraws testimony adverse to a prisoner is to be punished for false-witness, while his testimony is to stand, and to receive full weight in rendering judgment.*

A false-witness, when detected, was treated with as little mercy as a heretic. As a symbol of his crime two pieces of red cloth in the shape of tongues were affixed to his breast and two to his back, to be worn through life. He was exhibited at the church-doors on a scaffolding during divine service on Sundays, and was

* Lib. Confess. Inq. Albiens. (MSS. Bib. Nat., fonds latin, 11847).—Lib. Sententt. Inq. Tolosan. pp. 96–7, 180, 393.—Arch. de l'Inq. de Carcass. (Doat, XXVII. 118, 133, 140, 149, 178, 204–16).—Eymeric. Direct. Inq. p. 521.—Zanchini Tract. de Hæret. c. xiv.

usually imprisoned for life. The symbol was changed to that of a letter in the case of Guillem Maurs, condemned in 1322 for conspiring with others to forge letters of the Inquisition whereby some parties were to be cited for heresy with the view of extorting hush-money from them. As the degree of criminality varied, so there were differences in the severity of punishment. Those condemned in Pamiers in 1323 were let off without incarceration. The four at Narbonne, in 1328, were regarded as peculiarly culpable, having been suborned by enemies of the accused, and they were accordingly condemned to the severest form of imprisonment, on bread and water, with chains on hands and feet. The assembly of experts held at Pamiers for the *auto* of January, 1329, decided that, in addition to imprisonment, either lenient or harsh, according to the gravity of the offence, the offenders should make good any damage accruing to the accused. This was an approach to the *talio*, and the principle was fully carried out in 1518 by Leo X. in a rescript to the Spanish Inquisition, authorizing the abandonment to the secular arm of false witnesses who had succeeded in inflicting any notable injury on their victims. The expressions used by the pope justify the conclusion that the crime was still frequent. Zanghino tells us that in his time there was no defined legal penalty, and that the false witness was to be punished at the discretion of the inquisitor—another instance of the tendency which pervades the whole inquisitorial jurisprudence, to fetter the tribunals with as few rules as possible, to clothe them with arbitrary power, and trust to God, in whose name and for whose glory they professed to act, to inspire them with the wisdom necessary for the discharge of their irresponsible trust.*

* Lib. Sententt. Inq. Tolosan. pp. 297, 393.—Arch. de l'Inq. de Carcassonne (Doat, XXVII. 119, 133, 140, 241).—Pegnæ Comment. in Eymeric. p. 625.—Zanchini Tract. de Hæret. c. xiv.

CHAPTER XI.

THE DEFENCE.

From the preceding sketch of the inquisitorial process it may readily be inferred that scant opportunities for defence were allowed by the Holy Office. It was in the very nature of the process that all the preliminary proceedings were taken in secrecy and without the knowledge of the accused. The case against him was made up before his arrest, and he was examined, urged to confess, and perhaps imprisoned for years and tortured, before he was allowed to know what were the charges against him. It was only after a confession had been extorted from him, or the inquisitor despaired of extorting one, that he was furnished with the evidence against him, and even then the names of the witnesses were habitually suppressed. All this is in cruel contrast with the righteous care to avoid injustice prescribed for the ordinary episcopal courts. In them the Council of Lateran orders that the accused shall be present at the inquisition against him, unless he contumaciously absents himself; the charges are to be explained to him, that he may have the opportunity of defending himself; the witnesses' names, with their respective evidence, are to be made public, and all legitimate exceptions and answers be admitted, for suppression of names would invite slander, and rejection of exceptions would admit false testimony.* The suspected heretic, however, was prejudged. The effort of the inquisitor was not to avoid injustice, but to force him to admit his guilt and seek reconciliation with the Church. To accomplish this effectually the facilities for defence were systematically reduced to a minimum.

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* Concil. Lateran IV. ann. 1215 c. 8.

So, in 1254, St. Louis orders that in all criminal cases where the inquisitorial process is used, the whole proceedings shall be submitted to the accused.—Vaissette, Éd. Privat, VIII. 1348.

It is true that, in 1246, the Council of Béziers lays down the rule that the accused shall have proper opportunities for defence, including necessary delays and the admission of exceptions and legitimate replies; but if this were intended as a check on the arbitrary operations which already characterized the Inquisition, it was wholly disregarded. In the first place, the secrecy of the tribunal enabled the judge to do as he might think best. In the second place, the only possible remaining check to arbitrary action was removed by denying to the accused the advantage of counsel. Then, as now, the intricacy of legal forms rendered the trained advocate a necessity to every man on trial; the layman, ignorant of his rights, and of the method of enforcing them, was utterly helpless. So thoroughly was this understood that in the ecclesiastical courts it was frequently a custom to furnish advocates gratuitously to poor men unable to employ them, and in the charter granted by Simon de Montfort, in 1212, to his newly-acquired territories, it was provided that justice should always be gratuitous, and that counsel should be provided by the court for pleaders too poor to retain them. When this right thus was recognized in the most trifling cases, to refuse it to those who were battling for their lives before a tribunal in which the judge was also prosecutor, was more than the Church at first dared openly to do, but it practically reached the result by indirection. Innocent III., in a decretal embodied in the canon law, had ordered advocates and scriveners to lend no aid or counsel to heretics and their defenders, or to undertake their causes in litigation. This, which was presumably intended as one of the disabilities inflicted on defiant and acknowledged heretics, was readily applied to the suspect who were not yet convicted, and who were struggling to prove their innocence, for their guilt was always assumed in advance. The councils of Valence and Albi, in 1248 and 1254, while ordering inquisitors not to embarrass themselves with the vain jangling of lawyers in the conduct of the prosecution, significantly make reference to this provision of the canon law as applicable to counsel who might be so hardy as to aid the defence. That this became a settled and recognized principle is shown by Bernard Gui's assertion that advocates who excuse and defend heretics are to be held guilty of fautorship of heresy — a crime which became heresy itself if satisfaction at the discretion of the

inquisitor was not rendered within a twelvemonth. When to this we add the perpetually reiterated commands to the inquisitors to proceed without regard to legal forms or the wrangling of advocates, and the notice to notaries that he who drew up the revocation of a confession was excommunicated as an impeder of the Inquisition, it will readily be seen that there was no need of formally refusing counsel to the accused, and that there was no practical benefit permitted from the admission of the barren generality that one who believed a heretic to be innocent and endeavored to prove him so was not on that account liable to punishment. Eymerich is careful to specify that the accused has the right to employ counsel, and that a denial of this justifies an appeal, but then he likewise states that the inquisitor can prosecute any advocate or notary who undertakes the cause of heretics; and a century earlier a manuscript manual for inquisitors directs them to prosecute as defenders of heresy any advocates who take such cases, with the addition that if they are clerks they are to be perpetually deprived of their benefices. It is no wonder, therefore, that finally inquisitors adopted the rule that advocates were not to be allowed in inquisitorial trials. This injustice had its compensation, however, for the employment of counsel, in fact, was likely to prove as dangerous to the defendant as to his advocate, for the Inquisition was entitled to all accessible information, and could summon the latter as a witness, force him to surrender any papers in his hands, and reveal what had passed between him and his client. Such considerations, however, are rather theoretical than practical, for it may well be doubted whether, in the ordinary course of the Inquisition, counsel for the defence ever appeared before it. The terror that it inspired is well illustrated by the circumstance that when, in 1300, Friar Bernard Délicieux was commissioned by his Franciscan provincial to defend the memory of Castel Fabri, and Nicholas d'Abbeville, the Inquisitor of Carcassonne, rudely refused him even an audience, he could find no notary in the city who dared to assist him in drawing up a legal protest; every one feared arrest and prosecution if he took the least part in an opposition to the dreaded inquisitor, and Bernard had to wait ten or twelve days until he could bring a notary from a distance to perform the simplest formality. The local officials might well hesitate to incur the wrath of Nicholas, for a few years before he had

cast in jail a notary who had ventured to draw up an appeal of the inhabitants of Carcassonne to the king.*

All this is interesting as an illustration of the spirit which pervaded every act of the Inquisition, but in reality no advocate could be of material service to the accused, save in the most exceptional cases. The men who organized the Holy Office knew too well what they wanted to leave open any possibilities of which even the shrewdest advocate could take advantage, and it was admitted on all hands as a recognized fact that there was no method of defence save disabling the witnesses for the prosecution. It has been seen that enmity was the only source of disability in a witness, and this had to be mortal—there must have been bloodshed between the parties, or other cause sufficient to induce one to seek the life of the other. If, therefore, the case rested on witnesses of this kind, their testimony had to be rejected and the prosecution fell. As this was the only possible mode of escape, the cruelty of withholding from the prisoner the names of the adverse witnesses becomes doubly conspicuous. He was forced to grope around in the dark and blindly name such persons as he imagined might have a band in his misfortunes. If he failed to hit upon any who appeared in the case, the evidence against him was conclusive, as far as it went. If he chanced to name some of the witnesses, he was interrogated as to the causes of enmity; the inquisitor examined into the facts of the alleged quarrel, and decided as he saw fit as to the retention or the rejection of their testimony. Conscientious jurists like Gui Foucoix and inquisitors like Eymerich warned their brethren that as the accused had so slender a chance of guessing the sources of evidence, the judge ought to investigate for himself and discard any that seemed to be the product of malice; but there were others who sought rather to deprive the poor wretch of every straw that might postpone his sinking. One device was to ask him, as though

* Concil. Biterrens. ann. 1246, Append. c. 8.—Concil. Campinacens. ann. 1238 c. 14.—Contre le Franc-Alleu sans Tiltre, Paris, 1629, p. 216.—Fournier, Les Officialités, etc. p. 289.—C. 11, Extra v. 7.—Concil. Valentin. ann. 1248 c. 11.—Concil. Albiens. ann. 1254 c. 23.—Bernard. Guidon. Practica. P. IV. (Doat, XXX.).—Eymeric. Direct. Inquis. pp. 446, 452, 565, 568.—MSS. Bib. Nat., fonds latin, No. 14930, fol. 220.—Bernardi Comens. Lucerna Inquisitor. s. vv. *Advocatus*, *Defensor*.—C. 12, § 7, Extra v. 7.—Alex. PP. IV. Bull. *Cupientes*, 4 Mart. 1260.—Arch. de l'Inq. de Carcassonne (Doat, XXXIV. 123).—Vaissette, IV. 72.

casually, at the end of his examination, whether he had any enemies who would so disregard the fear of God as to accuse him falsely, and if, thus taken unawares, he replied in the negative, he debarred himself from any subsequent defence; or the most damaging witness would be selected and the prisoner be asked if he knew him, when a denial would estop him from claiming enmity. It is easy to imagine other tricks by which shrewd and experienced inquisitors could save themselves the trouble of admitting the accused to even the nugatory form of defence to which alone he was entitled. As to allowing him to call witnesses in his favor, except to prove enmity of the accusers, it was never thought of in ordinary cases. By a legal fiction, the inquisitor was supposed to look at both sides of the case, and to take care of the defence as well as of the prosecution. If the accused failed to guess the names of enemies among the witnesses and to disable their testimony, he was condemned.*

In England, under the barbarous custom of the *peine forte et dure*, a prisoner who refused to plead either guilty or not guilty was pressed to death, because the trial could not go on without either confession or defence. Cruel as was this expedient, it was the outcome of a manly sense of justice, which based its procedure on the rule that the worst felon should have a fair opportunity to prove his innocence. Far worse was the system of the Inquisition, which was equally resolved that its culprits should have no such easy method of escape as a refusal to plead. It had no scruples as to proceeding in such cases, and the obstinacy of the accused only simplified matters. The refusal was an act of contumacy, equivalent to disobeying a summons to appear, or it was held to be tantamount to a confession, and the obdurate prisoner was forthwith handed over to the secular arm as an impenitent heretic, fit only for the stake. The use of torture, however, rendered such cases rare.†

* Guid. Fulcod. Quæst. xv.—Eymeric. Direct. Inq. pp. 446, 450, 607, 610, 614. —Zanchini Tract. de Hæret. c. ix., xli.—Litt. Petri Albanens. (Doat, XXXI. 5).

In the register of the Inquisition of Carcassonne from 1249 to 1258 M. Molinier has found two cases in which the accused was allowed to introduce evidence in his favor. In one of these G. Vilanière called two witnesses to prove an alibi; in the other Guillem Nègre brought forward a letter of reconciliation and penitence. In neither case was the defendant successful (L'Inq. dans le midi de la France, p. 346).

† Coll. Doat, XXXI. 149.—Bernardi Comens. Lucerna Inquisit. s. v. *Taciturnitas.*

The enviable simplicity which the inquisitorial process thus assumed in the absence of counsel and of all practical opportunities for defence can perhaps best be illustrated by one or two cases. Thus in the Inquisition of Carcassonne, June 19, 1252, P. Morret is called up and asked if he wishes to defend himself against the matters found in the *instructio* or indictment against him. He has nothing to allege except that he has enemies, of whom he names five. Apparently he did not happen to guess any of the witnesses, for the case proceeded by reading the evidence to him, after which he is again asked thrice if he has anything further to say. To this he replies in the negative, and the case ends by assigning January 29 for the rendering of sentence. Two years later, in 1254, at Carcassonne, a certain Bernard Pons was more lucky, for he happened to guess aright in naming his wife as an inimical witness, and we have the proceedings of the inquest held to determine whether the enmity was mortal. Three witnesses are examined, all of whom swear that she is a woman of loose character; one deposes that she had been taken in adultery by her husband; another that he had beaten her for it, and the third that he had recently heard her say that she wished her husband dead that she might marry a certain Pug Oler, and that she would willingly become a leper if that would bring it about. This would certainly seem sufficient, but Pons appears nevertheless not to have escaped. So thoroughly hopeless, indeed, was the prospect of any effort at defence, that it frequently was not even attempted, and the accused, like Arnaud Fabri at Carcassonne, August 26, 1252, when asked if he wished a copy of the evidence against him, would despairingly decline it. It was a customary formula in a sentence to state that the convict had been offered opportunity for defence and had not availed himself of it, showing how frequently this was the case.*

In the case of prosecution of the dead, the children or the heirs were scrupulously cited to appear and defend his memory, as they were necessarily parties to the case through the disabilities and confiscation following upon condemnation. Proclamation was also

* Registre de l'Inq. de Carcassonne (MSS. Bib. Nat., fonds latin, Nouv. Acquis. 139, f. 33, 44, 62).—Practica super Inquisitione (MSS. Bib. Nat., fonds latin, No. 14930, fol. 212).

made publicly in the churches inviting any one else who chose to appear or who had any interest in the matter by reason of holding property of the deceased; and then a third public notice was given that if no one came forward on the day named, definitive sentence would be rendered. Thus in a case occurring in 1327, Jean Duprat, Inquisitor of Carcassonne, orders the priests of all the churches in the dioceses of Carcassonne, Narbonne, and Alet to publish the notice during divine service on every Sunday and feast-day till the day of hearing, and to send him a notarial attestation of their action. The sentences in these cases are careful to recite these notices so sedulously served on all concerned; but notwithstanding this display of a desire to do exact justice, the proceedings were quite as hollow a mockery as those against the living. That it was so recognized is seen at the *auto* of 1309 at Toulouse, where there were four dead persons sentenced, and it is stated that in one case no one appeared, and in the other three the heirs obeyed the citation but renounced all defence. In the case of Castel Fabri, before alluded to, at Carcassonne, in 1300, where the estate was very large, the heirs appeared, but were denied all opportunity of defence by Nicholas d'Abbeville, the inquisitor; and in that of Pierre de Tornamire, though the heirs, as we have seen, succeeded in reversing the judgment through the gross informality of the proceedings, it was not until after a struggle which lasted for thirty-two years, during which time the estate must have been sequestrated. Sometimes, when death-bed heretications had occurred, the children put in the plea of *non compos*, which was admitted to be good, but as none of the family were allowed to testify, and only disinterested witnesses of approved orthodoxy were received, instances of success must have been rare indeed.*

Practically every avenue of escape was closed to those who fell into the hands of the inquisitor. Technically the accused had a right, as in other cases, to recuse his judge, but this was a dangerous experiment, and we hardly need the assurance of Bernardo di

* Concil. Biterrens. ann. 1246, Append. c. 18.—Doctrina de modo procedendi (Martene Thesaur. V. 1813).—Coll. Doat, XXVII. 97-8; XXIX. 27; XXXIV. 123; XXXV. 61; XXXVIII. 166.—Lib. Sententt. Inquis. Tolosan. pp. 33-4.—Molinier, L'Inquis. dans le midi de la France, p. 287.—Alex. PP. IV. Bull. *Olim ex parte*, 24 Sept.; 13 Oct. 1258; Urbani PP. IV. Bull. *Idem*, 21 Aug. 1262 (Mag. Bull. Rom. I. 117).

Como that it was virtually unknown. Ignorance was no defence, and its mere assertion, according to Bernard Gui, only rendered a man worthy of condemnation along with his master, the father of lies. Persistent denial of the offence charged, even when accompanied with profession of faith and readiness to submit to the mandates of the Church, was obstinacy and impenitence which precluded all hope of mercy. Even suicide in prison was equivalent to confession of guilt without repentance. It is true that insanity or drunkenness might be urged in extenuation of the utterance of heretical words, and this might mitigate the sentence, if there were due contrition and seeking for reconciliation, but admission of the conclusion at which the inquisitor had arrived from his *ex parte* inquest was the predetermined result, and the only alternative to this was abandonment to the secular arm.*

That plain-spoken friar, Bernard Délicieux, uttered the literal truth when he declared, in the presence of Philippe le Bel and all his court, that if St. Peter and St. Paul were accused of "adoring" heretics and were prosecuted after the fashion of the Inquisition, there would be no defence open for them. Questioned as to their faith, they would answer like masters in theology and doctors of the Church, but when told that they had adored heretics, and they asked what heretics, some names, common in those parts, would be mentioned, but no particulars would be given. When they would ask for statements as to time and place, no facts would be furnished, and when they would demand the names of the witnesses these would be withheld. How, then, asked Bernard, could the holy apostles defend themselves, especially when any one who wished to aid them would himself be attacked as a fautor of heresy. It was so. The victim was enveloped in a net from which there was no escape, and his frantic struggles only twisted it more tightly around him.†

Theoretically, indeed, an appeal lay to the pope from the Holy Office, and to the metropolitan from the bishop, for denial of jus-

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* Bernardi Comens. Lucerna Inquisit. s. v. *Recusatio*.—Bern. Guidon. Practica P. iv. (Doat, XXX.).—Zanchini Tract. de Hæret. c. ii., vii.—Concil. Narbonn. ann. 1244 c. 36.—Concil. Biterrens. ann. 1246 c. 9.—Eymeric. Direct. Inq. p. 572.

† MSS. Bib. Nat., fonds latin, No. 4270, fol. 139.

tice or irregularity of procedure, but it had to be made before sentence was rendered, as condemnation was final. Possibly this may have held out some prospect of benefit in the case of bishops exercising their inquisitorial jurisdiction. In that of inquisitors, when "*apostoli*," or letters remanding the case to the Holy See, were demanded, it rested with them to grant affirmative ("reverential") ones, or negative ones. The former admitted the transfer of the case; the latter kept it in the inquisitor's hands unless it was formally taken from him by the pope. This, it is safe to say, could rarely happen, and, as the proceeding was an intricate one, it could only be resorted to by experts. A man like Master Eckart, supported by the whole Dominican Order, could undertake it, even though in the end he fared no better at the hands of John XXII. than he would have done at those of the Archbishop of Cologne. So when, in 1323, the Sire de Partenay, one of the most powerful nobles of Poitou, was cited for heresy by Friar Maurice, the Inquisitor of Paris, and was thrown into the Temple by Charles le Bel, he appealed from Maurice as a judge prejudiced by personal hatred. Charles sent him under guard to John XXII. at Avignon, who at first refused to entertain the appeal, but at length, by the influential intercession of Partenay's friends, was induced to appoint several bishops as assessors to the inquisitor, and after long-protracted proceedings the interest of Partenay was sufficient to obtain his liberation. Cases like these, however, are wholly exceptional and have no bearing upon the thousands of humble folk and "*petite noblesse*" who filled the prisons of the Inquisition and figured in its *autos de fé*. The manuals for inquisitors, indeed, make no scruple in instructing them as to the devices and deceits by which they can elude all attempts to appeal when through disregard of rules they have exposed themselves to it.*

There was another class of cases, however, in which the interference of the pope occasionally gave relief, for the Holy See was autocratic and could set aside all rules. The curia was always greedy for money, and, outside of Italy, had no share in the confiscations. It can, therefore, readily be imagined that men of

* Pegnæ Comment. in Eymeric. p. 675.—Zanchiui Tract. de Hæret. c. xxix.—Eymeric. Direct. Inq. pp. 453–55.—Grandes Chroniques. ann. 1323.—Guill. Nangiac. Contin. ann. 1323.—Chron. de Jean de S. Victor. Contin. ann. 1323.—Bernardi Comens. Lucerna Inquisitor. s. vv. *Appellatio*, *Exceptio* No. 2.

wealth whose whole property was at stake might well consent to divide it with the papal court, whose all-powerful intervention would thereby be secured. As early as 1245 the bishops of Languedoc are found complaining to Innocent IV. of the number of heretics who thus obtain exemption. Not only those undergoing trial, but those fearing to be cited, those excommunicated for contumacy, or legitimately sentenced, escape the jurisdiction of the Inquisition and enjoy immunity on the strength of letters granted by the papal penitentiaries. I have met with a number of special cases of this interference of the Holy See with the Holy Office, one at least of which indicates the means of persuasion employed. In letters of December 28, 1248, the papal penitentiary Algisius orders the release, without confiscation, of six prisoners of the Inquisition who had confessed to heresy, one of the reasons assigned being the liberal contributions which they had made to the cause of the Holy Land. It is no wonder that the inquisitors sometimes grew mutinous under this aggravating interference, of which they could so readily guess the motive, and, on one occasion at least, they gave the curia a lesson. Some inhabitants of Limoux, in 1249, condemned to wear crosses and perform heavy penances, obtained from Innocent IV. an order for their mitigation, whereupon the inquisitors, in their irritation, went a step further and absolved the penitents without reserve. Accepting this rebuke, Innocent commanded the original sentence to be reimposed, and the unlucky culprits gained nothing by their effort. Less questionable was the interference, in 1255, of Alexander IV. in the case of Aimeric de Bressols of Castel-Sarrazin, who had been condemned for heretical acts committed thirty years before. He represented that he had performed most of the penance enjoined on him and that he was unable, through old age and poverty, to accomplish the rest, whereupon the pope mercifully authorized the Inquisitors to commute it into other pious works. A somewhat remarkable case occurred in 1371, when Gregory XI. authorized the Inquisitor of Carcassonne to release Bidon de Puy-Guillem, condemned to perpetual imprisonment, and repentant, the reason given for papal intervention being that there existed no other power to commute the sentence.*

* Vaissette, III. 462; Pr. 447.—Coll. Doat, XXXI. 152, 169, 283; XXXII. 69; XXXV. 134.—Potthast No. 10292, 10311, 10317, 18723, 18895.—Ripoll, I. 287.—Coll. Doat, XXXV. 134.

This kind of papal intervention, however, was in contravention of the law and not in its fulfilment, and need not be weighed in considering the results of the inquisitorial process. That result, as might be expected, was condemnation in some form or other so uniformly that it may be regarded as inevitable. In the register of Carcassonne from 1249 to 1258, comprising about two hundred cases, there does not occur a single instance of a prisoner discharged as innocent. It is true that the interrogatory of Alizaïs Debax, March 27, 1249, is followed by the note "she was not heard a second time because she was considered innocent," but this apparent exception is nullified by a second memorandum "*crucesignata est*"—she was condemned to the public infamy of wearing crosses, probably to confirm the popular impression that the Inquisition never missed its mark. A man against whom there was no evidence to justify conviction and who yet would not confess himself guilty, was kept in prison indefinitely at the discretion of the inquisitor; at length, if the proof against him was only incidental and not direct, and the suspicion was light, he might be mercifully discharged under bail, with orders to stand at the door of the Inquisition from breakfast-time until dinner, and from dinner until supper, until some further testimony should turn up against him, and the inquisitor be able to prove the guilt so confidently assumed. On this side of the Alps it was a recognized rule that no one should be acquitted. The utmost stretch of justice, when the accusation failed entirely, was a sentence of not proven. The charges were simply declared not to be substantiated, and the inquisitors were carefully warned never to pronounce a man innocent, so that there might be no bar to subsequent proceedings in case of further evidence. Possibly in Italy, in the fourteenth century, this rule may have been neglected, for Zanghino gives a formula of acquittal, based, significantly enough, on the evidence being proved to be malicious.*

Clement V. recognized the injustice wrought under this system when he embodied in the canon law a declaration that inquisitors abused to the injury of the faithful the wise provisions made for the defence of the faith; when he forbade them from falsely con-

* Molinier, L'Inquisition dans le midi de la France, pp. 332-33.—Responsa Prudentum (Doat, XXXVII.).—Bern. Guidon. Practica P. v. (Doat, XXX.).—Eymeric. Direct. Inquis. p. 474.—Zanchini Tract. de Hæret. c. xli.

victing any one, or acting either for or against the accused through love, hate, or the hopes of gain, under penalty of *ipso facto* excommunication, removable only by the Holy See. Bernard Gui hotly denied these assertions, which he declared to be precisely those with which the heretics defamed the Holy Office to its great damage. To impute heresy to the innocent, he said, is worthy of damnation, but none the less so is it to slander the Inquisition. In spite, he adds, of the refutation of the accusations brought against it, this canon assumes their truth and the heretics exult over its disgrace. If the heretics exulted, their rejoicings were premature. The Inquisition went its way in the accustomed paths, and Clement's well-meant effort at reform proved wholly unavailing.*

The erection of suspicion into a crime gave ample opportunity for the habitual avoidance of acquittal. This took its origin in the customs of the barbarian and mediæval codes, which required the accused, against whom a probable case was made out, to demonstrate his innocence either by the ordeal, or by the form of purgation known in England as the Wager of Law, in which he produced a prescribed number of his friends to share with him the oath of denial. In the coronation-edict of Frederic II. those who were suspected of heresy were required to purge themselves in this manner, as the Church might demand, under pain of being outlawed, and, if they remained so for a year, of being condemned as heretics. This gave a peculiar and sinister significance to suspicion of heresy which was carefully elaborated and turned to account. Suspicion might arise from many causes, the chief of which was popular rumor and belief. Omission to take the oath abjuring heresy imposed on all the inhabitants of Languedoc, within the term prescribed, was sufficient, or neglect to reveal heretics, or the possession of heretical books. The intricate questions to which this extension of criminality gave rise are fairly illustrated in the discussion of an inquisitor whether those who listened to the instructions of the Waldeuses, "Do not lie, nor swear, nor commit fornication, but give to every man his due; go to church, pay your tithes, and the perquisites of the priests," and, knowing this to be good advice, conclude the utterers to be good men—whether such

* C. 1 Clement. v. 3.—Bern. Guidon. Gravamina (Doat, XXX. 112).

are to be considered suspect of heresy; and he tells us that after diligent consideration he must decide in the affirmative, and order them to purgation. The difficulty of reducing to practice these intangible speculations was realized by Chancellor Gerson, who admits that due allowance should be made for variations of habits and manners in different places and times, but the ordinary inquisitor was troubled with few such scruples. It was easier to treat the suspect as criminals; to classify suspicion into its three grades of light, vehement, and violent; to prescribe punishment for it, and to inflict the disabilities of heresy on the suspect and their descendants. Even the definition of the three grades of suspicion was abandoned as impossible, and it was left to the arbitrary discretion of the inquisitor to classify each individual case which came before him. Nothing more condemnatory of the whole system can well be imagined than the explanation of Eymerich that suspects are not heretics; that they are not to be condemned for heresy, and that therefore their punishment should be lighter, except in the case of violent suspicion. Against this there was no defence possible, and no evidence to be admitted. The culprit might not be a heretic or entertain any error of belief, but if he would not abjure and give satisfaction (and abjuration included confession), he was to be handed over to the secular arm; if he confessed and sought reconciliation, he was to be imprisoned for life.*

For light and vehement suspicion the accused was ordered to furnish conjurators in his oath of denial. These were to be men

* Hist. Diplom. Frid. II. T. II. p. 4.—Concil. Tolosan. ann. 1229 c. 18.—Concil. Albiens. ann. 1254 c. 16.—Concil. Tarraconens. ann. 1242.—Eymeric. Direct. Inquis. pp. 376–8, 380–4, 494–5, 500.—Concil. Biterreus. ann. 1246, Append. c. 31, 36. —Zauchini Tract. de Hæret. v., vii., xx.—Doctrina de modo procedendi (Martene Thesaur. V. 1802).—Gersonis de Protestatione consid. xii.—Bernardi Comens. Lucerna Inquisit. s. v. *Præsumptio*, No. 5.—Isambert, Anc. Lois Francaises, IV. 364.

It is somewhat remarkable that Cornelius Agrippa maintains that the law expressly forbade the Inquisition from meddling with cases involving mere suspicion, or the defending, reception, and favoring of heretics De Vanitate Scientiarum, cap. xcvi.).—His contemporary, the learned jurist Ponzinibio, calls special attention to the fact that mere suspicion, even when not accompanied by evil report, is sufficient to justify proceedings in case of heresy, though not in other crimes.—(Ponzinibii de Lamiis c. 88).

of his own rank in life, who knew him personally and who swore to their belief in his orthodoxy and in the truth of his exculpatory oath. Their number varied, at the discretion of the inquisitor, with the degree of suspicion to be purged away, from three to twenty or thirty, and even more. In the case of strangers, however, who had no acquaintances, the inquisitor was advised to be moderate. It was no mere idle ceremony, and, as usual, all the chances were thrown against the defendant. If he was unable to procure the required number of compurgators, or neglected to do so within a year, the law of Frederic II. was enforced, and he was usually condemned as a heretic to burning alive; although some inquisitors argued that this was only presumptive, not absolute, proof, and that he could escape the stake by confessing and abjuring—of course being subject to the penance of perpetual prison. If he succeeded and performed his purgation duly, he was by no means acquitted. If the suspicion against him was vehement he could still be punished; even if it was light the fact that he had been suspected was an ineradicable blot. With the curious logical inconsequence characteristic of inquisitorial procedure, in addition to the purgation, he was obliged to abjure the heresy of which he had cleared himself; this abjuration remained of record against him, and in case of a second accusation his escape from the previous one was not reckoned as having proved his innocence, but as an evidence of guilt. If the purgation had been for light suspicion, his punishment now was increased; and if it had been for vehement suspicion, he was now regarded as a relapsed, to whom no mercy could be shown, but who was handed over to the secular arm without a hearing. Practically, however, this injustice is important chiefly as a manifestation of the spirit of the Inquisition; its methods were too thorough to render frequent a recourse to purgation, and Zanghino, when he treats of it, feels obliged to explain it as a custom little known. One case, however, at least, is on record at Angermünde, where the inquisitor Friar Jordan, in 1336, tried by this method a number of persons accused of the mysterious Luciferan heresy, when fourteen men and women who were unable to procure the requisite number of compurgators were duly burned.*

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* Concil. Tarraconens. ann. 1242.—Eymeric. Direct. Inq. pp. 376–8, 475–6.—

An indispensable formality in all cases in which the culprit was admitted to reconciliation with the Church was abjuration of heresy. Of this there were various forms adapted to the different occasions of its use—whether for suspicion, light, vehement, or violent, or after confession and repentance. It was performed in public, at the *autos de fé*, except in rare cases, such as those of ecclesiastics likely to cause scandal, and it frequently embodied a pecuniary penalty for infraction of its promises, and security for their performance. The principal point to be observed in all was to see that the penitent abjured heresy in general as well as the special heresy with which he had been charged. If this were duly attended to, he could always be handed over to the secular arm without a hearing in case of relapse, except when the abjuration had been for light suspicion. If it were neglected, and he had, for instance, abjured Catharism only, he might subsequently indulge in some other form of heresy, such as Waldensianism or usury, and have the benefit of another chance. The case was one not likely to occur, but the point is interesting as showing how the Inquisition could manifest the most scrupulous attention to form, while discarding in its practice all that entitles the administration of justice to respect. The importance attached to the abjuration is illustrated by a case in the Inquisition of Toulouse in 1310. Sibylla, wife of Bernard Borell, had been forced to confession and abjuration in 1305. Continuing her heretical practices, she was arrested in 1309 and again obliged to confess. As a relapsed heretic she was doomed irrevocably to the stake, but, luckily for her, the abjuration could not be found among the papers of the Holy Office, and though the rest of the record seems to have been accessible, she could only be prosecuted as though for a first offence, and she escaped with imprisonment for life.*

In the case of suspects of heresy who cleared themselves by compurgation, abjuration, of course, did not include confession.

Bernardi Comens. Lucerna Inquis. s. vv. *Practica*, *Purgatio*.—Albertini Repertor. Inquisit. s. v. *Deficiens*.—Gregor. PP. XI. Bull. *Excommunicamus*, 20 Aug. 1229.—Zanchini Tract. de Hæret. c. vii., xvii.—Martini App. ad Mosheim de Beghardis, p. 537.

* Concil. Narbonn. ann. 1244 c. 6, 12.—Muratori Antiq. Ital. Dissert. LX.—Doctrina de modo procedendi (Martene Thesaur. V. 1800–1).—Eymeric. Direct. Inq. pp. 376, 486–7, 492–8.—Lib. Sententt. Inq. Tolos. pp. 67, 215.

In accusations of heresy, supported by evidence, however, no one could be admitted to abjuration who did not confess that of which he was accused. Denial, as we have seen, was obduracy, punished by the stake, and confession was a condition precedent to admission to abjuration. In ordinary cases, where torture was freely used, confession was almost a matter of course. There were extraordinary cases, however, like that of Huss at Constance, where torture was spared and where the accused denied the doctrines attributed to him. In such cases the necessity of confession prior to abjuration must be borne in mind if we are to understand the inevitable consequences.

CHAPTER XII.

THE SENTENCE.

The penal functions of the Inquisition were based upon a fiction which must be comprehended in order rightly to appreciate much of its action. Theoretically it had no power to inflict punishment. Its mission was to save men's souls; to recall them to the way of salvation, and to assign salutary penance to those who sought it, like a father-confessor with his penitents. Its sentences, therefore, were not, like those of an earthly judge, the retaliation of society on the wrong-doer, or deterrent examples to prevent the spread of crime; they were simply imposed for the benefit of the erring soul, to wash away its sin. The inquisitors themselves habitually speak of their ministrations in this sense. When they condemned a poor wretch to lifelong imprisonment, the formula in use, after the procedure of the Holy Office had become systematized, was a simple injunction on him to betake himself to the jail and confine himself there, performing penance on bread and water, with a warning that he was not to leave it under pain of excommunication, and of being regarded as a perjured and impenitent heretic. If he broke jail and escaped, the requisition for his recapture under a foreign jurisdiction describes him, with a singular lack of humor, as one insanely led to reject the salutary medicine offered for his cure, and to spurn the wine and oil which were soothing his wounds.*

Technically, therefore, the list of penalties available to the in-

* Guid. Fulcod. Quæstt. XIII., XV.—Ripoll, I. 254.—Archives de l'Inq. de Carcassonne (Doat, XXXI. 139).—Archives de l'Évêché d'Albi (Doat, XXXV. 69).—Lib. Sententt. Inq. Tolosan. p. 32.—Eymeric. Direct. Inquis. pp. 465, 643.—Zanchini Tract. de Hæret. c. XX.

In the sentences of Bernard de Caux, 1246–8, though imprisonment is treated as a penance, the expression is more mandatory than in later proceedings (MSS. Bib. Nat., fonds latin, 9992).

quisitor was limited. He never condemned to death, but merely withdrew the protection of the Church from the hardened and impenitent sinner who afforded no hope of conversion, or from him who showed by relapse that there was no trust to be placed in his pretended repentance. Except in Italy, he never confiscated the heretic's property; he merely declared the existence of a crime which, under the secular law, rendered the culprit incapable of possession. At most he could impose a fine, as a penance, to be expended in good works. His tribunal was a spiritual one, and dealt only with the sins and remedies of the spirit, under the inspiration of the Gospels, which always lay open before it. Such, at least, was the theory of the Church, and this must be borne in mind if we would understand what may occasionally seem to be inconsistencies and incongruities—especially in view of the arbitrary discretion which left to the individual inquisitor such opportunity to display his personal characteristics in dealing with the penitents before him. He was a judge in the forum of conscience, bound by no statutes and limited by no rules, with his penitents at his mercy, and no power save that of the Holy See itself could alter one jot of his decrees.*

This sometimes led to a lenity which would be otherwise inexplicable, as in the case of the murderers of St. Peter Martyr. Pietro Balsamo, known as Carino, one of the hired assassins, was caught red-handed, and his escape by bribery from prison created a popular excitement leading to a revolution in Milan. Yet, when recaptured, he repented, was forgiven, and allowed to enter the Dominican Order, in which he peacefully died, with the repute of a "*beato*;" and though the Church never formally recognized his right to the public worship paid to him in some places, still, in one of the stalls of the martyr's own great church of Sant' Eustorgio, he appears, with the title of the blessed Acerinus, in a chiaroscuro of 1505, among the Dominican saints. Not one, indeed, of those concerned in the assassination appears to have been put to death, and the leading instigator of the crime, Stefano Confalo-

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* Arch. de l'Évêché d'Albi (Doat, XXXV. 69). — Arch. de l'Inq. de Carcassonne (Doat, XXVII. 232). — Concil. Narbonn. ann. 1234 c. 5. — Concil. Biterrens. ann. 1246, Append. c. 29.—Eymeric. Direct. Inq. pp. 506-7. — Zanchini Tract. de Hæret. c. xvi.—Guid. Fulcod. Quæst. xv.

niere of Aliate, a notorious heretic and fautor of heretics, after repeated abjurations, releases, and relapses, was not fairly imprisoned until 1295, forty-three years after the murder. It was the same when, soon afterwards, the Franciscan inquisitor, Pier da Bracciano, was assassinated, and Manfredo di Sesto, who had hired the assassins, was brought before Rainerio Saccone, the Inquisitor of Milan. He confessed the crime and other offences in aid of heresy, but was only ordered to present himself to the pope and receive penance. Contumaciously neglecting to do this, Innocent IV. merely ordered the magistrates of Italy to arrest and detain him if he should be found.*

Yet the theory which held the Church to be a loving mother unwillingly inflicting wholesome chastisement on her unruly children only lent a sharper rigor to most of the operations of the Inquisition. Those who were obdurate to its kindly efforts were ungrateful and disobedient when ingratitude and disobedience were offences of the most heinous nature. They were parricides whom it was mercy to reduce to subjection, and whose sin only the severest suffering could expiate. We have seen how little the inquisitor recked of human misery in his efforts to detect and convert the heretic, and it is not to be supposed that he would be more tender in his ministrations to the diseased souls asking for absolution and penance—and it was only the penitent who had confessed and abjured his sin who came before the judgment-seat for punishment. All others were left to the secular arm.

The flimsiness of this theory, however, is manifest from the fact that it was not only heretics—those who consciously erred in matters of faith—who were subjected to the jurisdiction and chastisement of the Inquisition. Fautors, receivers, and defenders—those who showed hospitality, gave alms, or sheltered or assisted heretics in any way, or neglected to denounce them to the authorities, or to capture them when occasion offered, also rulers who omitted to execute the laws against heresy, however orthodox themselves, incurred suspicion of heresy, simple, vehement, or violent. If violent, it was tantamount to heresy; if simple or vehe-

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* Tamburini, Istoria dell' Inquisizione, I. 492–502. — Bern. Corio, Hist. di Milano, ann. 1252.—Arch. de l'Inq. de Carcassonne (Doat, XXXI. 201).—Ripoll, I. 244, 280, 389.

ment, we have seen how readily it might, by failure of purgation, or by repetition, grow into technical heresy and relapse, incurring the gravest penalties, including relaxation to the secular arm. Not less conclusive to the real import of the inquisitorial organization is the argument of Zanghino, that if a heretic repents, confesses to his priest, accepts and performs penance and receives absolution, however he may be relieved from hell and pardoned in the sight of God, he is not released from temporal punishment, and is still subject to prosecution by the Inquisition. It would not abandon its prey, while yet it could not impugn the efficacy of the sacrament of penitence, and such difficulties were eluded by forbidding priests to take cognizance of heresy, which was reserved for bishops and inquisitors.*

The penances customarily imposed by the Inquisition were comparatively few in number. They consisted, firstly, of pious observances — recitation of prayers, frequenting of churches, the discipline, fasting, pilgrimages, and fines nominally for pious uses, such as a confessor might impose on his ordinary penitents. These were for offences of trifling import. Next in grade are the "*pœnæ confusibiles*"—the humiliating and degrading penances, of which the most important was the wearing of yellow crosses sewed upon the garments; and, finally, the severest punishment among those strictly within the competence of the Holy Office, the "*murus*," or prison. Confiscation, as I have said, was an incident, and the stake, like it, was the affair of the secular power; and though both were really controlled by the inquisitor, they will be more conveniently considered separately. The Councils of Narbonne and Béziers, in addition, prescribe a purely temporal punishment—banishment, either temporary or perpetual—but this would appear to have been so rarely employed that it may be disregarded, although in the earlier period it occasionally occurs in sentences, or is found among the penances to which repentant heretics pledged themselves to submit.†

* Concil. Tarraconens. ann. 1242. — Innoc. PP. IV. Bull. *Noverit universitas*, 1254 (Mag. Bull. Rom. I. 103).—Bern. Guidon. Practica P. IV. (Doat, XXX.).—Eymeric. Direct. Inquis. pp. 368-72, 376-8.—Zanchini Tract. de Hæret. c. xxxiii.

† Concil. Narbonn. ann. 1244 c. 3.—Concil. Biterrens. ann. 1246, Append. c. 28.—Coll. Doat, XXI. 200.—MSS. Bib. Nat., fonds latin, No. 9992.

The sin of heresy was too grave to be expiated simply by contrition and amendment. While the Church professed to welcome back to her bosom all her erring and repentant children, the way of the transgressor was made hard, and his offence could only be washed away by penances severe enough to prove the robustness of his convictions. Before the Inquisition was founded, about 1208, St. Dominic, while acting under the authority of the Legate Arnaud, converted a Catharan named Pons Roger, and prescribed for him a penance which has chanced to be preserved. It will give us an insight into what were considered reasonable terms of readmission to the Church, at a time when it was straining every nerve to win the heretics back, and before it had fairly resorted to the use of force. On three Sundays the penitent is to be stripped to the waist and scourged by the priest from the entrance of the town of Tréville to the church-door. He is to abstain forever from meat and eggs and cheese, except on Easter, Pentecost, and Christmas, when he is to eat of them in sign of his abnegation of his Manichæan errors. For twoscore days, twice a year, he is to forego the use of fish, and for three days in each week that of fish, wine, and oil, fasting, if his health and labors will permit. He is to wear monastic vestments, with a small cross sewed on each breast. If possible, he is to hear mass daily, and on feast-days to attend church at vespers. Seven times a day he is to recite the canonical hours, and, in addition, the Paternoster ten times each day and twenty times each night. He is to observe the strictest chastity. Every month he is to show this paper to the priest, who is to watch its observance closely, and this mode of life is to be maintained until the legate shall see fit to alter it, while for infraction of the penance he is to be held as a perjurer and a heretic, and be segregated from the society of the faithful.*

This shows how the various forms of penance were mingled together at the discretion of the ghostly father. The same is seen in an exceedingly lenient sentence imposed in 1258 by the inquisitors of Carcassonne on Raymond Maria, who had confessed to various acts of heresy committed twenty or thirty years before, and who, for other reasons, had strong claims for merciful treatment. It further illustrates the practice of compounding pious

* Paramo de Orig. Offic. S. Inquis. Lib. II. Tit. i. c. 2, § 6.—Martene Thesaur. I. 802.—Coll. Doat, XXXI. 1.

observances for money. Raymond is ordered to fast from the Friday after Michaelmas until Easter, and to eat no meat on Saturdays, but he can redeem the fast by giving a denier to a poor man. Every day he is to recite seven times the Paternoster and Ave Maria. Within three years he is to visit the shrines of St. Mary of Roche-amour, St. Rufus of Aliscamp, St. Gilles of Vauverte, St. William of the Desert, and Santiago de Compostella, bringing home testimonial letters from the rector of each church; and in lieu of other penances he is to give six livres Tournois to the Bishop of Albi to aid in building a chapel. He is to hear mass at least every Sunday and feast-day, and to abstain from all work on those days. Another penance belonging to the same general category is that inflicted on a Carthusian monk of la Loubatière who was guilty of Spiritual Franciscanism. He was ordered not to leave the abbey for three years, and during that time not to speak except in extreme necessity. For a year he was to confess daily in the presence of his brethren that John XXII. was the true pope and entitled to obedience; and, in addition, he was to undergo certain fasts and perform certain recitations of the liturgy and psalter. Penances of this character could be varied *ad infinitum* at the caprice of the inquisitor.*

In all this there is no mention of flagellation, but that was so general a feature of penance that it is frequently taken for granted in prescribing pilgrimages and attendance at church. We have seen Raymond of Toulouse submitting to it, and however abhorrent it may be to our modern ideas, it did not carry with it that sense of humiliation which to us appears inseparable from it. In the lightest penalties provided for voluntary converts, coming forward within the time of grace, the Councils of Narbonne and Béziers, in 1244 and 1246, and that of Tarragona, in 1242, order the discipline. It was no light matter. Stripped as much as decency and the inclemency of the weather would permit, the penitent presented himself every Sunday, between the Epistle and the Gospel, with a rod in his hand, to the priest engaged in celebrating mass, who soundly scourged him in the presence of the congregation, as a fitting interlude in the mysteries of divine service. On the first Sunday in every month, after mass, he was to visit, similarly

* Archives de l'Inq. de Carcassonne (Doat, XXXI. 255).—Coll. Doat, XXVII. 136.

equipped, every house in which he had seen heretics, and receive the same infliction; and on the occasion of every solemn procession he was to accompany it in the same guise, to be beaten at every station and at the end. Even when the town happened to be placed under interdict, or himself to be excommunicated, there was to be no cessation of the penance, and apparently it lasted as long as the wretched life of the penitent, or at least until it pleased the inquisitor to remember him and liberate him. That this was no idle threat is shown by these precise details occurring in a formula given by Bernard Gui, about 1330, for the release from prison of penitents who by patience and humility in their captivity have earned a mitigation of their punishment, and virtually the same formula was employed immediately after the organization of the Inquisition.*

The pilgrimages, which were regarded as among the lightest of penances, were also mercies only by comparison. Performed on foot, the number commonly enjoined might well consume several years of a man's life, during which his family might perish. A frequent injunction by Pierre Cella, one of the most moderate of inquisitors, comprehended Compostella and Canterbury, with perhaps several intermediate shrines, and in one case a man over ninety years of age was ordered to perform the weary tramp to Compostella simply for having consorted with heretics. These pilgrimages were not without peril and hardship, although the hospitality exercised by the numerous convents on the road enabled the poorest pilgrim to sustain life. Still, pilgrimages were so habitual a feature of mediæval habits, and entered so frequently into ordinary penance, that their use by the Inquisition was inevitable. When the yearning for salvation was so strong that two hundred thousand pilgrims could be counted in a day flocking to Rome to gain the indulgence promised by Boniface VIII. in the Jubilee of 1300, the penitent who escaped with the performance of such pious observances might well regard himself as mercifully treated.†

The penitential pilgrimages of the Inquisition were divided

* Concil. Tarraconens. ann. 1242.—Concil. Narbonnens. ann. 1244 c. 1.—Concil. Biterrens. ann. 1246, Append. c. 6.—Bern. Guidon. Practica (Doat, XXIX. 54).—MSS. Bib. Nat., fonds latin, No. 14930, fol. 214.

† Coll. Doat, XXI. 222.—Wadding. Annal. ann. 1300, No. 1.—Cf. Molinier, L'Inq. dans le midi de la France, pp. 400-1.

into two classes—the greater and the less. In Languedoc the greater pilgrimages were customarily four—to Rome, Compostella, St. Thomas of Canterbury, and the Three Kings of Cologne. The smaller were nineteen in number, extending from shrines of local celebrity to Paris and Boulogne-sur-mer. The cases in which they were employed may be estimated by the sentence passed by Bernard Gui, in 1322, on three culprits whose only offence was that, some fifteen or twenty years before, they had seen Waldensian teachers in their fathers' houses without knowing what they were. Commencing within three months, the penitents were required to perform seventeen of the minor pilgrimages, reaching from Bordeaux to Vienne, bringing back, as usual, from each shrine testimonial letters of the visit. In this case it is specified that they were not obliged to wear the crosses, and I think it probable that this exempted them from scourging at each of the shrines, to which penitents with crosses would naturally be subjected. In one case, occurring in 1308, a culprit was excused from pilgrimages on account of his age and weakness, and was only required to make two visitations a year in the city of Toulouse. Considerate humanity such as this is not sufficiently common in the annals of the Inquisition for an example of it to be passed in silence.*

At the inception of the Inquisition the pilgrimage universally ordered for men was that to Palestine, as a crusader. Indeed, the legate, Cardinal Romano, commanded this for all who were suspect of heresy. It seems to have been felt that the best use to which a heretic could be put, if he was to escape the fagot, was to make him aid in the defence of the Holy Land—a service of infinite hardship and peril. In the wholesale persecutions in Languedoc the numbers of these unwilling crusaders were so great that alarm was excited lest they should pervert the faith in the land of its origin, and about 1242 or 1243 a papal prohibition was issued, forbidding it for the future. The Council of Béziers, in 1246, commits to the discretion of the inquisitors whether penitents shall serve beyond seas, or send a man-at-arms to represent them, or fight the battles of the faith nearer home, against heretics or Saracens. The term of service was also left to the inquisitors, but

* Arch. de l'Inq. de Carcassonne (Doat, XXXVII. 11).—Lib. Sententt. Inq. Tolosan. pp. 1, 340–1.

was usually for two or three years, though sometimes for seven or eight, and those who went to Palestine, if they were so fortunate as to return, were obliged to bring back testimonial letters from the Patriarch of Jerusalem or Acre. When Count Raymond was preparing to fulfil his long-delayed vow of a crusade, in his eagerness for recruits he procured in 1247, from Innocent IV., a bull empowering the Archbishop of Ausch and Bishop of Agen, within Raymond's dominions, to commute into a pilgrimage beyond seas the penance of temporary crosses and prison, and even when these were perpetual, if the consent could be had of the inquisitor who had uttered the sentence; and the following year this was extended to those in the territories of the Counts of Montfort. Under this impulsion, the penance of crusading became common again. There is extant a notice given by the inquisitors of Carcassonne, October 5, 1251, in the church of St. Michael, to those wearing crosses and those relieved from them, that they must without fail sail for the Holy Land, as they had pledged themselves to do, in the next fleet; and in the Register of Carcassonne the injunction of the crusade is of frequent occurrence. With the disastrous result of the ventures of St. Louis and the fall of the Kingdom of Jerusalem this form of penance gradually diminished, but it continued to be occasionally prescribed. As late as 1321 we find Guillem Garric condemned to go beyond seas with the next convoy and remain until recalled by the inquisitor; if legitimately impeded (which was likely, as he was an old man who had rotted in a dungeon for thirty years) he could replace himself with a competent fighting-man, and if he neglected to do so, he was condemned to perpetual prison. This sentence, moreover, affords one of the rare instances of banishment, for Guillem, besides furnishing a substitute, is ordered to expatriate himself to such place as shall be designated, during the pleasure of the inquisitor.*

These penances did not interfere with the social position and self-respect of the penitent. Far heavier was the apparently sim-

* Wadding. Annal. ann. 1238, No. 7.—Concil. Narbonn. ann. 1244 c. 2.—Concil. Biterrens. ann. 1246, Append. c. 26, 29.—Berger, Les Registres d'Innocent IV. No. 3508, 3677, 3866.—Coll. Doat, XXXI. 17.—Vaissette, III. Pr. 468.—MSS. Bib. Nat., fonds latin, nouv. acq. 139, fol. 8.—Molinier, L'Inq. dans le midi de la France, pp. 408–9.—Lib. Sententt. Inq. Tolos. pp. 284–5.—Coll. Doat, XXI. 185, 186, 217.

ple penalty of wearing the crosses, which was known as a *pœna confusibilis*, or humiliating punishment. We have seen that already, in 1208, St. Dominic orders his converted heretic to wear two small crosses on the breast in sign of his sin and repentance. It seems a contradiction that the emblem of the Redemption, so proudly worn by the crusader and the military orders, should be to the convert an infliction almost unbearable, but when it became the sign of his sin and disgrace there were few inflictions which might not more readily be borne. The two little crosses of St. Dominic grew to conspicuous pieces of saffron-colored cloth, of which the arms were two and a half fingers in breadth, two and a half palms in height, and two palms in width, one sewed on the breast and the other on the back, though occasionally one on the breast sufficed. If the convert during his trial had committed perjury, a second transverse arm was added at the top; and if he had been a "perfected" heretic, a third cross was placed upon the cap. Another form was that of a hammer, worn by prisoners temporarily liberated on bail; and we have seen the red tongues fastened on false-witnesses, and the symbol of a letter inflicted on a forger, while other emblematical forms were prescribed, as the fancy of the inquisitor might dictate. They were never to be laid aside, in doors or out, and when worn out the penitent was obliged to renew them. During the latter half of the thirteenth century those who went beyond seas might abandon their crosses during their crusade, but were obliged to reassume them on returning. In the earlier days of the Inquisition a term ranging from one year to seven or eight was usually prescribed, but in the later period it was always for life, unless the inquisitor saw fit, as a reward of good behavior, to remit it. Thus in the *auto de fé* of 1309 Bernard Gui permitted Raymonde, wife of Étienne Got, to remove the crosses which she had been condemned to wear, some forty years before, by Pons de Poyet and Étienne de Gâtine.*

* C. Biterrens. ann. 1246, Append. c. 26.—Lib. Sententt. Inq. Tolosan. pp. 8, 13, 130, 228.

In Italy the crosses appear to be of red cloth (Archiv. di Firenze, Prov. S. Maria Novella, 31 Ott. 1327).

At an early period there is a single allusion to another "*pœna confusibilis*" in the shape of a wooden collar or yoke worn by the penitent. This occurs at La Charité, in 1233, and I have not met with it elsewhere (Ripoll, I. 46).

The Council of Narbonne, in 1229, prescribed the wearing of these crosses by all converts who voluntarily abandoned heresy and returned to the faith of their own free will, as an evidence of their detestation of their former errors. Apparently the penance was found hard to bear, and efforts were made to escape it, for the statutes of Raymond, in 1234, and the Council of Béziers of the same year, threaten confiscation for all who refuse to wear them, or endeavor to conceal them. Subsequent councils renewed and extended the obligation on all who were reconciled to the Church; and that of Valence, in 1248, decreed that all who disobeyed should be forced without mercy to resume them, and that abandoning them after due monition should be visited, like jail-breaking, with the full penalties of impenitent heresy. In a case recorded in 1251, a penitent preparing for a crusade seems to have thought himself authorized to abandon the crosses before starting, and was sentenced to come to Carcassonne on the first Sunday of every month until his departure, barefooted and in shirt and drawers, and visit every church in the city, with a rod, to undergo scourging.*

Though this penance was regarded as merciful in comparison with imprisonment, it was not easily endurable, and we can readily understand the sharp penalties required to enforce obedience. In the sentences of Pierre Cella it is only prescribed in aggravated cases, and then merely for from one to five years, though subsequently it grew to be universal, and without a limit of time. The unfortunate penitent was exposed to the ridicule and derision of all whom he met, and was heavily handicapped in every effort to earn a livelihood. Even in the earlier time, when a majority of the population of Languedoc were heretics, and the cross-wearers were so numerous that their presence in Palestine was dreaded, the Council of Béziers, in 1246, feels obliged to warn the people that penitents should be welcomed and their cheerful endurance of penance should be a subject of gratulation for all the faithful, and therefore it strictly forbids ridicule of those who wear crosses, or refusal to transact business with them. Though penitents were

* Concil. Narbonn. ann. 1229 c. 10.—Statut. Raymondi ann. 1234 (Harduin. VII. 205).—Concil. Biterrens. ann. 1234 c. 4.—Concil. Tarraconens. ann. 1243.—Concil. Narbonn. ann. 1244 c. 1.—Concil. Valentin. ann. 1248 c. 13.—Concil. Albiens. ann. 1254 c. 4.—MSS. Bib. Nat., fonds latin, nouv. acq. 139, fol. 2.

under the special protection of the Church, it had too zealously preached detestation of heresy to be able to control the feelings of the population towards those whom it thus saw fit to stigmatize. A slight indication of this is seen in the case of Raymonde Manifacier, who, in 1252, was cited before the Inquisition of Carcassone for abandoning the crosses, when she urged in extenuation that the one on her cloak had been torn and she was too poor to replace it, while as regards that on her cape, her mistress, whom she served as nurse, had forbidden her to wear it and had given her a cape without one. A stronger case is that already cited of Arnaud Isarn, who found, after a year's experience, that he could not earn a living while thus bearing the marks of his degradation.*

The Inquisition recognized the intolerable hardships to which its penitents were exposed, and sometimes in mercy mitigated them. Thus, in 1250, at Carcassonne, Pierre Pelha receives permission to lay aside the crosses temporarily during a voyage which he is obliged to make to France. Bernard Gui assures us that young women were frequently excused from wearing them, because with them they would be unable to find husbands; and among the formulas of his "*Practica*" one which exempts the penitent from crosses enumerates the various reasons usually assigned, such as the age or infirmity of the wearer (presumably rendering him a safe object of insult) or on account of his children, whom he may not otherwise be able to support, or for the sake of his daughters, whom he cannot marry. Still more suggestive are formulas of proclamations threatening to prosecute as impeders of the Inquisition and to impose crosses on those who ridicule such penitents or drive them away or prevent them from following their callings; and the insufficiency of this is shown by still other formulas of orders addressed to the secular officials, who are required to see that no such outrages are perpetrated. Sometimes monitions of this kind formed part of the regular proceedings of the *autos de fé*. The wearing of the symbol of Christianity was evidently a punishment of no slight character. The well-known *sanbenito* of the modern Spanish Inquisition was de-

* Coll. Doat, XXI. 185 sqq. — Concil. Biterrens. ann. 1246 c. 6. — Molinier, L'Inquis. dans le midi de la France, p. 412.—Lib. Sententt. Inq. Tolosan. p. 350.

rived from the scapular with saffron-colored crosses which was worn by those condemned to imprisonment, when on certain feast-days they were exposed at the church doors, that their misery and humiliation might serve as a warning to the people.*

It will be remembered that at the outset there was some discussion as to whether it should be competent for the inquisitors to inflict the pecuniary penance of fines. The voluntary poverty and renunciation of money of the Mendicants, to whom the Holy Office was confided, had not yet become so obsolete that the incongruity could be overlooked of their using their almost limitless discretion in levying fines and handling the money thence accruing. That they commenced it early is shown by a sentence of 1237, already quoted, in which Pons Grimoardi, a voluntary convert, is required to pay to the order of the inquisitor ten livres Morlaas, while in 1245, in Florence, one rendered by the indefatigable inquisitor, Ruggieri Calcagni, shows that already fines were habitual there. It was not without cause, therefore, that the Council of Narbonne, in 1244, in its instructions to inquisitors, ordered them to abstain from pecuniary penances both for the sake of the honor of their Order and because they would have ample other work to do. The Order itself felt this to be the case, and as inquisitors were not yet, at least in theory, emancipated from the control of their superiors, already, in 1242, the Provincial Chapter of Montpellier had endeavored to enforce the rules of the Order by strictly prohibiting them from inflicting pecuniary penances for the future, or from collecting those which had already been imposed. How little respect was shown to these injunctions is visible from a bull of Innocent IV., in 1245, in which, to preserve the reputation of the inquisitors, he orders all fines paid over to two persons selected by the bishop and inquisitor, to be expended in building prisons and in supporting prisoners, in compliance with which the Council of Béziers, in 1246, abandoned the position taken by the Council of Narbonne, and agreed that the fines should be employed on the prisons, and in defraying the neces-

* Molinier, op. cit. p. 404, 414–15.—Bernard. Guidon. Gravamina (Doat, XXX. 115).—Ejusd. Practica P. II. (Doat, XXIX. 75).—Arch. de l'Inq. de Carc. (Doat, XXXVII. 107, 135, 149).—Eymeric. Direct. Inq. pp. 496–99.

sary expenses of the Inquisition, possibly because the good bishops found that they themselves were expected to meet these demands as appertaining to the episcopal jurisdiction. In an inquisitorial manual of the period this is specified as the destination of the fines, but the power was speedily abused, and in 1249 Innocent IV. sternly rebuked the inquisitors in general for the heavy exactions which they wrung from their converts, to the disgrace of the Holy See and the scandal of the faithful at large. This apparently had no effect, and in 1251 he prohibited them wholly from levying fines if any other form of penance could be employed. Yet the inquisitors finally triumphed and won the right to inflict pecuniary penances at discretion. These were understood to be for pious uses, in which term were included the expenses of the Inquisition; and as they were payable to the inquisitors themselves, they doubtless were so expended—it is to be hoped in accordance with the caution of Eymerich, "decently and without scandal to the laity." In the sentences of Frà Antonio Secco on the peasants of the Waldensian valleys in 1387, the penance of crosses is usually accompanied with a fine of five or ten florins of pure gold, payable to the Inquisition, nominally to defray the expenses of the trial. An attempt of the State to secure a share was defeated by a council of experts assembled at Piacenza in 1276 by the Lombard inquisitors, Frà Niccolò da Cremona and Frà Daniele da Giussano. A more decent use of the power to inflict money payments was one which Pierre Cella, the first inquisitor of Toulouse, frequently employed, by adding to the pilgrimages or other penances imposed the obligation of maintaining a priest or a poor man for a term of years or for life.*

In the later period of the Inquisition it was argued that fines were inadmissible, because if the accused were a heretic all his property disappeared in confiscation, while if he were not he

* Vaissette, III. Pr. 386.—Lami, Antichità Toscane, p. 560.—Concil. Narbonn. ann. 1244 c. 17. —Innoc. PP. IV. Bull. *Quia te*, 19 Jan. 1245 (Doat, XXXI. 71).—Molinier, op. cit. pp. 23, 390. — Concil. Biterrens. ann. 1246, Append. c. 27.—Practica super Inquisit. (MSS. Bib. Nat., fonds latin, No. 14930, fol. 222).—Innoc. PP. IV. Bull. *Cum a quibusdam*, 14 Mai. 1249 (Doat, XXXI. 81, 116). — Coll. Doat, XXXIII. 198. — Ripoll, I. 194. — Eymeric. Direct. Inq. pp. 648–9, 653. — Zanchini Tract. de Hæret. c. xix., xx., xli.—Archivio Storico Italiano, No. 38, pp. 27, 42.—Campi, Dell' Hist. Eccles. di Piacenza, P. II. p. 309.—Coll. Doat, XXI. 185 sqq.

should not be punished, but the inquisitors responded that, although this was true, there were fautors and defenders of heresy, and those whose heresy consisted merely in a thoughtless word, all of whom could legitimately be fined; and the profitable abuse went on.*

Scarcely separable from the practice of fines was that of commuting penances for money. When we remember how extensive and lucrative was the custom of commuting the vows of crusaders, it was inevitable that a similar abuse should flourish in the Church's dealings with the penitents whom the Inquisition had placed within its power. A ready excuse was found in the proviso that the sums thence arising should be spent in pious uses—and no use could be more pious than that of ministering to the wants of those who were zealously laboring for the purity of the faith. In this the Holy See set the example. We have seen how, in 1248, Algisius, the papal penitentiary, ordered the release, by authority of Innocent IV., of six prisoners who had confessed heresy, alleging as a reason the satisfactory contributions which they had made to the Holy Land. The same year Innocent formally authorized Algisius to commute the penalties of certain heretics, without regard to the inquisitors, and he further empowered the Archbishop of Ausch to transmute into subsidies the penances imposed on reconciled heretics. Raymond was preparing for his crusade, and the excuse was a good one. The heretics were eager to escape by sacrificing their substance, and the project promised to be profitable. In 1249, accordingly, Algisius was sent to Languedoc armed with power to commute all inquisitorial penances into fines to be devoted to the needs of the Church and of the Holy Land, and to issue all necessary dispensations notwithstanding the privileges of the Inquisition. It is not to be supposed that the example was lost upon the inquisitors. Naturally enough, the cases which have reached us usually specify some pious work to which the funds were to be devoted, as when, in 1255, the inquisitors of Toulouse allowed twelve of the principal citizens of Lavaur to commute their penances into money to be contributed to building the church which was afterwards the Cathedral of Lavaur; and in 1258 they assisted the church of Najac in the same way by

* Bernardi Comens. Lucerna Inquisit. s. v. *Pœnam.*

allowing a number of the inhabitants to redeem their penalties for its benefit. The public utility of bridges caused them to be included in the somewhat elastic term of pious uses. Thus, in 1310, at Toulouse, Mathieu Aychard is released from wearing crosses and performing certain pilgrimages on condition of contributing forty livres Tournois to a new bridge then under construction at Tonneins; and in a formula for such transactions given by Bernard Gui, absolution and dispensation from pilgrimages and other penances are said to be granted in consideration of the payment of fifty livres for the building of a certain bridge, or of a certain church, or "to be spent in pious uses at our discretion." This last clause shows that commutations were by no means always thus liberally disposed of, and in fact they often inured to the benefit of those imposing them. We have a specimen of this in letters of the Inquisitor of Narbonne in 1264, granting absolution to Guillem du Puy in consideration of his giving one hundred and fifty livres Tournois to the Inquisition. The magnitude of these sums shows the eagerness of the penitents to escape, and the enormous power of extortion wielded by the inquisitor. If he was a man of integrity he could doubtless resist the temptation, but to the covetous and self-indulgent the opportunity of oppressing the helpless was almost unlimited. The system was kept up to the end. Under Nicholas V. Fray Miguel, the Inquisitor of Aragon, gave mortal offence to some high dignitaries in following certain papal instructions, whereupon they maltreated him and kept him in prison for nine months. It was a flagrant case of impeding the Inquisition, and in 1458 Pius II. ordered the Archbishop of Tarragona to dig up the bones of one of the offenders who had died, and to send the rest to the Holy See for judgment—but he added that the archbishop might, at his discretion, substitute a mulct for the war against the Turks, to be transmitted to the papal camera. It goes without saying that the death-penalty could never legally be commuted.*

* Arch. de l'Inq. de Carcassonne (Doat, XXXI. 152).—Archives Nationales de France, J. 430, No. 1. — Berger, Les Registres d'Innoc. IV. No. 4093. — Vaissette, III. 460, 462. — Molinier, op. cit. pp. 173, 283-4, 391, 396, 397. — Lib. Sententt. Inq. Tolos. p. 40.—Bern. Guidon. Practica (Doat, XXIX. 83).—Coll. Doat, XXXI. 292. —Arch. de l'Inq. de Carcassonne (Doat, XXXV. 192).—Zanchini Tract. de Hæret. c.xix.

Penitents who died before fulfilling their penance afforded a specially favorable opportunity for such transactions as these. Death, as we have seen, afforded no immunity from the jurisdiction of the Inquisition and in no wise abated its energy of prosecution. There might be a distinction drawn in practice between those who were taken off while humbly performing the penance assigned to them, but before its completion, and those who had wilfully neglected its commencement; but legally the non-fulfilment of penance entailed condemnation for heresy whether in the dead or living. In 1329, for instance, the Inquisition of Carcassonne ordered the exhumation and cremation of the bones of seven persons declared to have died in heresy for not having fulfilled the penance enjoined on them, which of course carried with it the confiscation of their property and the subjection of their descendants to the usual disabilities. The Councils of Narbonne and Albi directed the inquisitors to exact satisfaction at discretion from the heirs of those who had died before judgment, if they would have been condemned to wear crosses, as well as those who had confessed and been sentenced, and who had not lived, whether to commence or to complete their penance. Gui Foucoix expresses his belief that in these cases the penitent is admitted to purgatory, and he decides that nothing should be demanded from his heirs; but even his authority did not overcome the more palatable doctrine of the councils, and a contemporary manual directs the inquisitor to exact a "congruous satisfaction." There is something peculiarly repulsive in the rapacity which thus followed beyond the grave those who had humbly confessed and repented and were received into the bosom of the Church, but the Inquisition was unrelenting and exacted the last penny. For instance, the Inquisitor of Carcassonne had prescribed five years' pilgrimage to the Holy Land for Jean Vidal, who died before performing it. March 21, 1252, his heirs, under citation, swore that his whole estate was worth twenty livres, and gave security to obey the decision of the inquisitor, which was announced the following August, and proved to be a demand for twenty livres—the entire value of his property. In another case, Raymonde Barbaira had died before accomplishing some pilgrimages with crosses to which she had been sentenced. An inventory of her property showed it to consist of some bedding, clothing, a chest, a few cattle, and four sous in

money, which had been divided up among her kindred, and from this pitiful inheritance the inquisitor, on March 7, 1256, demanded forty sous, for the payment of which by Easter the heirs had to give security. Such petty and vulgar details as these give us a clearer insight into the spirit and working of the Inquisition, and of the grinding oppression which it exercised on the subject populations. Even in the case of fautors who were not heretics, the heirs were obliged to perform any pecuniary penance which had been inflicted upon them.*

A more legitimate source of income, but yet one which opened the door to grave abuses, was the custom of taking bail, which of course was liable to forfeiture, serving, in such cases, as an irregular form of commutation. This custom dated from the inception of the Inquisition, and was practised at every stage of the proceedings, from the first citation to the final sentence, and even afterwards, when prisoners were sometimes liberated temporarily on giving security for their return. The convert who was absolved on abjuring was also required to give security that he would not relapse. Thus, in 1234, we see Lantelmo, a Milanese noble, ordered to give bail in two thousand lire, and two Florentine merchants bailed by their friends in two thousand silver marks. So, in 1244, the Baroni, of Florence, gave bail in one thousand lire to obey the mandates of the Church; and in 1252 a certain Guillem Roger pledged one hundred livres that he would go beyond seas by the next fleet and serve there for two years. The security was always to be pecuniary, and the inquisitor was warned not to take it of heretics, for their offence implied confiscation, but this was not strictly observed, as in special cases friends were found who furnished the necessary pledges. Forfeited bail was payable to the inquisitor, sometimes directly, and sometimes through the hands of the bishops, and was to be used for the expenses of the Inquisition. The usual form of bond pledged all the property of the principal and that of two sureties, jointly and severally; and as a general rule bail may be said to have been universal, except

* Arch. de l'Inq. de Carcassonne (Doat, XXVII. 236).—Concil. Narbonn. ann. 1244 c. 19. — Concil. Albiens. ann. 1254 c. 25. — Guid. Fulcod. Quæst. VII.— Practica super Inquisit. (MSS. Bib. Nat., fonds latin, No. 14930 fol. 221-2). — Molinier, op. cit. pp. 365, 392.—Bernardi Comens. Lucerna Inquisit. s. v. *Inquisitores*, No. 18.

in cases where the offence was regarded as too serious to admit of it, or when the offender could not procure it.*

It was impossible that these methods of converting the sentences of the Inquisition into current coin could flourish without introducing widespread corruption. Admission to bail might be the result of favoritism or degenerate into covert bribery. The discretion of the inquisitor was so wide that bribery itself could be safely indulged in. A crime necessarily so secret as this form of extortion cannot be expected to leave traces behind it, except in those cases in which it proved a failure, but sufficient instances of the latter are on record to show that the tribunals were surrounded by men who made a trade of their influence, real or presumed, with the judges. When these were incorruptible the business was suppressed with more or less success, but when they were acquisitive, they had ample field for unhallowed gain, to be wrung without stint or check from the subject populations both by bribery and extortion. Considering that every one above the age of seven was liable to the indelible suspicion of heresy by the mere fact of citation, it will be seen what an opportunity lay before the inquisitor and his spies and familiars to practise upon the fears of all, to sell exemptions from arrest, as well as to bargain for liberation. That these fruitful sources of gain were not abundantly worked would be incredible even in the absence of proof, but proof sufficient exists. In 1302 Boniface VIII. wrote to the Dominican Provincial of Lombardy that the papal ears had been lacerated with complaints of the Franciscan inquisitors of Padua and Vicenza, whose malicious cupidity had wronged many men and women by exacting from them immense sums and inflicting on them all manner of injuries. When the pope naïvely adduces in cumulation of their

* Concil. Narbonn. ann. 1244 c. 17.—C. Biterrens. ann. 1246, Appeud. c. 15.—Innoc. PP. IV. Bull. *Cum venerabilis*, 29 Jan. 1253; Bull. *Cum per nostras*, 30 Jan. 1253; Bull. *Super extirpatione*, 30 Mai. 1254.—Alex. PP. IV. Bull. *Super extirpatione*, 13 Nov. 1258, 20 Sept. 1259; Bull. *Ad audientiam*, 23 Jan. 1260.—Berger, Les Registres d'Innoc. IV. No. 3804.—Ripoll, I. 69, 71, 223-4, 247.—Lami, Antichità Toscane, p. 576.—MS. Bib. Nat., fonds latin, nouv. acquis. 139 fol. 43.—Eymeric. Direct. Inquis. p. 638.—Zanchini Tract. de Hæret. c. xix.—Bern. Guidon. Practica P. v. (Doat, XXX.).—Albert. Repert. Inq. s. v. *Cautio*.

The right to offer bail, except in capital offences, was one thoroughly recognized by the secular law. See, for instance, Isambert, Anc. Loix Franç. III. 57.

villainy that these wrong-doers had not employed the illicit gains for the benefit of the Holy Office, or of the Roman Church, or even of their own Order, he affords ground for the suspicion that a judicious distribution of the spoils secured silent condonation of such offences in many cases. He had sent Gui, Bishop of Saintes, to investigate these complaints, who reported them well founded, and he orders the provincial to replace the delinquents with Dominicans. The change brought little relief, for the very next year Mascate de' Mosceri, a jurist of Padua, appealed to Benedict from the new Dominican inquisitor, Frà Benigno, who was vexing him with prosecutions in order to extort money from him; and in 1304 Benedict was obliged to address to the inquisitors of Padua and Vicenza a grave warning as to the official complaints which still arose about their fraudulent prosecution of good Catholics by means of false witnesses. It is easy to understand the complaint made by the stricter Franciscans that the inquisitors of their Order rode around in state in place of walking barefoot as was prescribed by the rule. At this very time, moreover, the Dominicans of Languedoc were the subject of precisely similar arraignment on the part of the communities subjected to them. Redress in this case was long in coming, but at last the investigation set on foot by Clement V. convinced him of the truth of the facts alleged, and at the Council of Vienne, in 1311, he caused the adoption of canons, embodied in the Corpus Juris, which placed on record conspicuously his conviction that the inquisitorial office was frequently abused by the extortion of money from the innocent and the escape of the guilty through bribery. The remedy which he devised, of *ipso facto* excommunication in such cases, was complained of by Bernard Gui on the ground that it would invalidate the rightful acts, as well as the evil ones, of the wrong-doer; which only serves to show the vicious circle in which the whole business moved. Yet neither the hopes of Clement nor the fears of Bernard were justified by the result. The inquisitors continued to enrich themselves and the people to suffer untold miseries. In 1338 a papal investigation was made of a transaction by which the city of Albi purchased, by the payment of a sum of money to the Inquisitor of Carcassonne, the liberation of some citizens accused of heresy. In 1337 Benedict XII. ordered his nuncio in Italy, Bertrand, Archbishop of Embrun, to investigate the complaints which

came from all parts of Italy that the inquisitors extorted money, received presents, allowed the guilty to escape, and punished the innocent, through hatred or avarice, and empowered him to make removals in consequence; and the exercise of this power shows that the complaints were well founded. The effects of the measure, however, were evanescent. In 1346 the whole republic of Florence rose against their inquisitor, Piero di Aquila, for various abuses, among which figured extortion. He fled and refused to return during the investigation which followed, in spite of the offer of a safe-conduct. A single witness swore to sixty-six cases of extortion, and in a partial list of them which has been preserved the sums exacted vary from twenty-five to seventeen hundred gold florins, showing how unlimited were the profits which tempted the unscrupulous. Villani tells us that in two years he had thus amassed more than seven thousand florins, an enormous sum in those days; that there were no heretics in Florence at the time, and that the offences which thus proved so lucrative to him consisted of usury and thoughtless blasphemy. As for usury, Alvaro Pelayo tells us that at that time the bishops of Tuscany set the example by habitually so employing the church funds, but the inquisitors did not meddle with the prelates. As for blasphemy, the subtle refinements which converted simple blasphemous expressions into heresy, as set forth by Eymerich, show how readily a skilful inquisitor could speculate on idle oaths. Boccaccio doubtless had Frà Piero in memory when he described the recent inquisitor of Florence who, like all his brethren, had an eye as keen to discover a rich man as a heretic, and who extracted a heavy *douceur* from a citizen for boasting in his cups that he had wine so good that Christ would drink it. The keenness which thus made profitable business for the Holy Office, when heresy was declining, is illustrated by the case of Marie du Canech, a money-changer of Cambrai, in 1403. In a case before the Ordinary she incautiously expressed the opinion that when under oath she was not bound to give evidence against her own honor and interest. For this the deputy inquisitor, Frère Nicholas de Péronne, prosecuted her and condemned her to various penances, including nine years' abstention from business and eighty gold crowns for expenses.*

* Molinier, op. cit. pp. 299-302.—Arch. de l'Inq. de Carcassonne (Doat,

These abuses continued to the last. Cornelius Agrippa tells us that it was customary for inquisitors to convert corporal punishments into pecuniary ones and even to exact annual payments as the price of forbearance. When he was in the Milanese, about 1515, there was a disturbance caused by their secretly extorting large sums from women of noble birth, whose husbands at length discovered it, and the inquisitors were glad to escape with their lives.*

I have dwelt at some length upon this feature of the Inquisition because it is one which has rarely received attention, although it inflicted misery and wrong to an almost unlimited extent. The stake consumed comparatively few victims. While the horrors of the crowded dungeon can scarce be exaggerated, yet more effective for evil and more widely exasperating was the sleepless watchfulness which was ever on the alert to plunder the rich and to wrench from the poor the hard-earned gains on which a family

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XXXIV. 5. It is perhaps worthy of note that Ripoll, in printing this bull of Boniface VIII., T. II. p. 61, discreetly suppresses the details of inquisitorial wrong-doing).—Grandjean, Registres de Benoît XI. No. 169, 509.—Chron. Girardi de Fracheto Contin. ann. 1303 (D. Bouquet, XXI. 22-3).—Articuli Transgressionum (Archiv. für Litt.- u. Kirchengeschichte, 1887, p. 104).—C. 1, § 4, c. 2 Clement. v. 3.—Bernard. Guidon. Gravamina (Doat, XXX. 118-19).—Coll. Doat, XXXV. 113.—Ripoll, VII. 61.—Archivio di Firenze, Riformagioni, Classe XI. Distinz. I. No. 39.—Villani, Cronica, XII. 58.—Alvar. Pelag. de Planct. Eccles. Lib. II. art. vii.—Eymeric. Direct. Inq. p. 332.—Decamerone, Giorn. I. Nov. 6.—Archives administratives de Reims, III. 641.

The strictness with which the canons against usury were construed is illustrated in a case decided by the University of Paris in 1490. The Faculty of Theology was consulted as to the righteousness of a contract under which a certain church had bought for three hundred livres an annual rent of twenty livres arising from certain lands, with the right of recalling the purchase-money after two months' notice; while by a separate agreement the land-owner had the right of redemption for nine years. This is doubtless a specimen of the means adopted of evading the prohibition of interest payment, which must have grown frequent with the development of commerce and industry. The contract ran for twenty-six years before it was questioned and referred to the University. A commission of twelve doctors of theology was appointed, who discussed the subject thoroughly, and reported, eleven to one, that the contract was usurious, and that the annual payments must be computed as partial payments on account of the purchase-money (D'Argentré, Collect. Judic. de nov. Error. I. II. 323).

* Cornel. Agrippa de Vanitate Scientiar. cap. XCVI.

depended for support. It was only in rare cases that the victims dared to raise a cry, and rarer still were those in which that cry was heard; but sufficient instances have reached us to prove what a scourge was the institution, in this aspect alone, on all the populations cursed by its presence. At a very early period the wealthy already recognized that well-timed liberality was advisable towards those who held such power in the hollow of their hands. In 1244 the Dominican Chapter of Cahors lifted a warning voice and ordered inquisitors not to allow their brethren to receive presents which would expose the whole Order to disrepute; but this scrupulousness wore off, and even a man of high character like Eymerich could argue that inquisitors may properly be the recipients of gifts, though he dubiously adds that they ought to be refused from those under trial, except in special circumstances. As the accounts of the Inquisition were rendered only to the papal camera, it will be seen how little the officials had to dread investigation and exposure. As little had they to fear the divine wrath, for their very functions, while thus engaged, insured them plenary indulgence for all sins confessed and repented. Thus secure, here and hereafter, they were virtually relieved from all restraint.*

There was one purely temporal penalty which came within the competence of the Inquisition—the designation of the houses which were to be destroyed in consequence of the contamination of heresy. The origin of this curious practice is not readily traced. Under the Roman law, buildings in which heretics held their conventicles with the owner's consent were not torn down, but were forfeited to the Church. Yet as soon as heresy began to be formidable we find their destruction commanded by secular rulers with singular unanimity. The earliest provision I have met with occurs in the assizes of Clarendon in 1166, which order the razing of all houses in which heretics were received. The example was followed by the Emperor Henry VI. in the edict of Prato, in 1194, by Otho IV in 1210, and by Frederic II. in the edict of Ravenna, in 1232, as an addition to his coronation-edict of 1220, from which it had been omitted. It had already been adopted in the code of Verona in 1228 in all cases in which the owner, after eight days' notice,

* Molinier, op. cit. p. 307.—Eymeric. Direct. Inq. p. 650, 685.

neglected to expel heretic occupants; it is found in the statutes of Florence a few years later, and is included in the papal bulls defining the procedure of the Inquisition. In France the Council of Toulouse, in 1229, decreed that any house in which a heretic was found was to be destroyed, and this was given the force of secular law by Count Raymond in 1234. It naturally forms a feature of the legislation of the succeeding councils which regulated the inquisitorial proceedings, and was adopted by St. Louis. Castile, in fact, seems to be the only land in which the regulation was not observed, owing doubtless to the direct derivation of its legislation from the Roman law, for, in the Partidas, houses in which heretics were sheltered are ordered to be given to the Church. Elsewhere such dwellings were razed to the ground, and the site, as accursed, was to remain forever a receptacle for filth and unfit for human habitation; yet the materials could be employed for pious uses unless they were ordered to be burned by the inquisitor who rendered the sentence. This sentence was addressed to the parish priest, with directions to publish it for three successive Sundays during divine service.*

In France the royal officials in charge of the confiscations came at length to object to this destruction of property, which was sometimes considerable, as the castle of the seigneur was as liable to it as the cabin of the peasant. In 1329 it forms one of the points for which the Inquisitor of Carcassonne, Henri de Chamay, asked and obtained the confirmation of Philippe de Valois, and the same year he had the satisfaction, in an *auto* held in September, to order the destruction of four houses, and a farm, whose owners had been hereticated in them on their death-beds. Some fifty years later, however, a quarrel on the subject between the king's representatives and the inquisitors of Dauphiné resulted differently. Charles le Sage, after consulting with the pope, issued letters of

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* Constt. v., VIII. § 3, Cod. I. v.—Assis. Clarendon. Art. 21.—Lami, Antichità Toscane, p. 124.—Hist. Diplom. Frid. II. T. IV. pp. 299-300.—Lib. Juris Civilis Veronæ c. 156 (Ed. 1728, p. 117).—Alex. PP. IV. Bull. *Ad extirpanda*, § 21.—Concil. Tolosan. ann. 1229 c. 6.—Statut. Raymondi ann. 1234 (Harduin. VII. 203).—Vaissette, III. Pr. 370-1.—Concil. Biterrens. ann. 1246, Append. c. 35.—Concil. Albiens. ann. 1254 c. 6.—Établissements, Liv. I. c. 36.—Siete Partidas, P. VII. Tit. XXVI. l. 5.—Bern. Guidon. Practica (Doat, XXIX. 89).—Lib. Sententt. Inq. Tolosan. pp. 4, 80-1, 168.

October 19, 1378, ordering that the penalty should no longer be enforced. The independent spirit of northern Germany manifested itself in the same manner, and in the Sachsenspiegel there is a peremptory command that no houses shall be destroyed except for rape committed within them. In Italy the custom continued, as there the confiscations did not inure to the sovereign, but it was held that if the owner had no guilty knowledge of the use made of his house he was entitled to keep it. Lawyers disputed, however, as to the perpetuity of the prohibition to build on the spot, some holding that possession by a Catholic for forty years conferred a right to erect a new house, which others denied, arguing that a perpetual and imprescriptible servitude had been created. The inquisitors, in process of time, arrogated to themselves the power to issue licenses to build anew on these sites, and this right they exercised, doubtless, to their own profit, though they might not have found it easy to cite authority for it.*

Another temporal penalty may be alluded to as illustrating the unlimited discretion enjoyed by the inquisitors in imposing penance. When, in 1321, the town of Cordes made humble submission for its long-continued insubordination to its bishop and inquisitor, the penance assigned to the community by Bernard Gui and Jean de Beaune was the construction of a chapel of such size as might be ordered, in honor of St. Peter Martyr, St. Cecilia, St. Louis, and St. Dominic, with the statues of those saints in wood or stone above the altar; and, to complete the humiliation of the community, the portal was to be adorned with statues of the bishop and of the two inquisitors, the whole to be finished within two years, under a penalty of five hundred livres Tournois, which was to be doubled for a delay of another two years. Doubtless the people of Cordes built the chapel without delay, but they hesitated at this glorifying of their oppressors, for, twenty-seven years afterwards, in 1348, we find the municipal authorities summoned before the Inquisition of Toulouse and compelled to give pledges that the portal shall forthwith be completed and the inquisitorial effigies be erected.†

* Isambert, Anc. Loix Françaises, IV. 364; V. 491.—Ripoll, I. 252.—Arch. de l'Inq. de Carcassonne (Doat, XXVII. 248).—Sachsenspiegel, Buch III. Art. I.—Zanchini Tract. de Hæret. c. xxxix., xl.

† Lib. Sententt. Inq. Tolosan. 280.—Arcb. de l'Inq. de Carc. (Doat, XXXV. 122).

The severest penance the inquisitor could impose was incarceration. It was, according to the theory of the inquisitors, not a punishment, but a means by which the penitent could obtain, on the bread of tribulation and water of affliction, pardon from God for his sins, while at the same time he was closely supervised to see that he persevered in the right path and was segregated from the rest of the flock, thus removing all danger of infection. Of course it was only used for converts. The defiant heretic who persisted in disobedience, or who pertinaciously refused to confess his heresy and asserted his innocence, could not be admitted to penance, and was handed over to the secular arm.*

In the bull *Excommunicamus* of Gregory IX., in 1229, all who after arrest were converted to the faith through fear of death were ordered to be incarcerated for life, thus to perform appropriate penance. The Council of Toulouse almost simultaneously made the same regulation, and manifested its sense of the real value of the involuntary conversions by adding the caution that they be prevented from corrupting others. The Ravenna decree of Frederic II., in 1332, adopted the same rule and made it settled legal practice. The Council of Arles, in 1234, called attention to the perpetual backsliding of those converted by force, and ordered the bishops to enforce strictly the penance of perpetual prison in all such cases. As yet the relapsed were not considered as hopeless, and were not abandoned to the secular court, or "relaxed," but were similarly imprisoned for life.†

The Inquisition at its inception thus found the rule established, and enforced it with the relentless vigor which it manifested in all its functions. It was represented as a special mercy shown to those who had forfeited all claims on human compassion. There were to be no exemptions. The Council of Narbonne, in 1244,

* Zanchini Tract. de Hæret. c. x.

† Gregor. PP. IX. Bull. *Excommunicamus*, 20 Aug. 1229.—Concil. Narbonn. ann. 1229 c. 9.—Hist. Diplom. Frid. II. T. IV. p. 300.—Concil. Arelatens. anu. 1234 c. 6.—Vaissette, III. Pr. 314.

Gregory's bull, as inserted in the canon law, provides perpetual imprisonment for those who "*redire noluerint*" (C. 15, § 1, Extra v. vii.), which is self-evidently an error for "*voluerint*," as the previous section directs that persistent heretics are to be handed over to the secular arm. Besides, Frederic's Ravenna decree, issued soon after, in prescribing lifelong imprisonment for converts, speaks of this being in accordance with the canons.

specifically declared that, except when special indulgence could be procured from the Holy See, no husband was to be spared on account of his wife, or wife on account of her husband, or parent in consideration of helpless children; neither sickness nor old age should claim mitigation. Every one who did not come forward within the time of grace and confess and denounce his acquaintances was liable to this penance, which in all cases was to be life-long; but the prevalence of heresy in Languedoc was so great, and the terror inspired by the activity of the inquisitors grew so strong, that those who had allowed the allotted period to elapse flocked in, begging for reconciliation, in such multitudes that the good bishops declare not only that funds for the support of such crowds of prisoners were lacking, but even that it would be impossible to find stones and mortar sufficient to build prisons for them. The inquisitors are therefore instructed to delay incarceration in these cases, unless impenitence, relapse, or flight, is to be apprehended, until the pleasure of the pope can be learned. Apparently Innocent IV. was not disposed to leniency, for in 1246 the Council of Béziers sternly orders the imprisonment of all who have overstayed the time of grace, while counselling commutation when it would entail evident peril of death on parents or children. Imprisonment thus became the usual punishment, except of obstinate heretics, who were burned. In a single sentence of Feburary 19, 1237, at Toulouse, some twenty or thirty penitents are thus condemned, and are ordered to confine themselves in a house until prisons can be built. In a fragment which has been preserved of the register of sentences in the Inquisition of Toulouse from 1246 to 1248, comprising one hundred and ninety-two cases, with the exception of forty-three contumacious absentees, the sentence is invariably imprisonment. Of these, one hundred and twenty-seven are perpetual, six are for ten years, and sixteen for an indefinite period, as may seem expedient to the Church. It apparently was not till a later period that the order of the Council of Narbonne was obeyed, and the sentence always was for life. In the later periods this proportion will not hold good, for all inquisitors were not like the fierce Bernard de Caux, who then ruled the Holy Office in Toulouse; but perpetual imprisonment remained to the last the principal penance inflicted on penitents, although the decrees of Frederic and the canons of the councils of Toulouse and Narbonne

were not held to apply to those who abjured heartily after arrest.*

In the later sentences which have reached us it is often not easy to guess why one prisoner is incarcerated and another let off with crosses, when the offences enumerated as to each would seem to be indistinguishable. The test between the two probably was one which does not appear on the record. All alike were converts, but he whose conversion appeared to be hearty and spontaneous was considered to be entitled to the easier penance, while the harsher one was inflicted when the conversion seemed to be enforced and the result of fear. Yet how relentlessly a man like Bernard Gui, who represents the better class of inquisitors, could enforce the strict measure of the law is seen in the case of Pierre Raymond Dominique, who had been cited to appear in 1309, had fled and incurred excommunication, had consequently, in 1315, been condemned as a contumacious heretic, and in 1321 had voluntarily come forward and surrendered himself on a promise that his life should be spared. His acts of heresy had not been flagrant, and he pleaded as an excuse for his contumacy his wife and seven children, who would have starved had they been deprived of his labor, but in spite of this he was incarcerated for life. Even the stern Bernard de Caux was not always so merciless. In 1246, we find him, in sentencing Bernard Sabbatier, a relapsed heretic, to perpetual imprisonment, adding that as the culprit's father is a good Catholic and old and sick, the son may remain with him and support him as long as he lives, meanwhile wearing the crosses.†

There were two kinds of imprisonment, the milder, or "*murus largus*," and the harsher, known as "*murus strictus*" or "*durus*" or "*arctus*." All were on bread and water, and the confinement, according to rule, was solitary, each penitent in a separate cell, with no access allowed to him, to prevent his being corrupted or corrupting others; but this could not be strictly enforced, and about 1306 Geoffroi d'Ablis stigmatizes as an abuse the visits of

* Concil. Tarraconens. ann. 1242.—Concil. Narbonn. ann. 1244 c. 9, 19.—Concil. Biterrens. ann. 1246, Append. c. 20.—Coll. Doat, XXI. 152.—MSS. Bib. Nat., fonds latin, No. 9992.—Bern. Guidon. Practica P. IV. (Doat, XXX.).

† Lib. Sententt. Inq. Tolos. *passim*, pp. 347-9.—Eymeric. Direct. Inq. p. 507.—MSS. Bib. Nat., fonds latin, No. 9992.—Practica super Inquisit. (MSS. Bib. Nat., fonds latin, No. 14930, fol. 222).

clergy, and laity of both sexes, permitted to prisoners. Husband and wife, however, were allowed access to each other if either or both were imprisoned; and late in the fourteenth century Eymerich agrees that zealous Catholics may be admitted to visit prisoners, but not women and simple folk who might be perverted, for converted prisoners, he adds, are very liable to relapse, and to infect others, and usually end with the stake.*

In the milder form, or "*murus largus*," the prisoners apparently were, if well behaved, allowed to take exercise in the corridors, where sometimes they had opportunities of converse with each other and with the outside world. This privilege was ordered to be given to the aged and infirm by the cardinals who investigated the prison of Carcassonne and took measures to alleviate its rigors. In the harsher confinement, or "*murus strictus*," the prisoner was thrust into the smallest, darkest, and most noisome of cells, with chains on his feet—in some cases chained to the wall. This penance was inflicted on those whose offences had been conspicuous, or who had perjured themselves by making incomplete confessions, the matter being wholly at the discretion of the inquisitor. I have met with one case, in 1328, of aggravated false-witness, condemned to "*murus strictissimus*," with chains on both hands and feet. When the culprits were members of a religious order, to avoid scandal the proceedings were usually held in private, and the imprisonment would be ordered to take place in a convent of their own order. As these buildings, however, usually were provided with cells for the punishment of offenders, this was probably of no great advantage to the victim. In the case of Jeanne, widow of B. de la Tour, a nun of Lespenasse, in 1246, who had committed acts of both Catharan and Waldensian heresy, and had prevaricated in her confession, the sentence was confinement in a separate cell in her own convent, where no one was to enter or see her, her food being pushed in through an opening left for the purpose—in fact, the living tomb known as the "*in pace*." †

* Arch. de l'Inq. de Carcassonne (Doat, XXXIII. 143).—Concil. Biterrens. ann. 1246 c. 23, 25.—Eymeric. Direct. Inq. p. 507.

† Arch. de l'hôtel-de-ville d'Albi (Doat, XXXIV. 45).—Bern. Guidon. Gravam. (Doat, XXX. 100).—Lib. Sententt. Inq. Tolos. pp. 32, 200, 287.—Arch. de l'Inq. de Carcassonne (Doat, XXVII. 136, 156).—MSS. Bib. Nat., fonds latin, No. 9992.

The cruelty of the monastic system of imprisonment known as *in pace*, or

I have already alluded to the varying treatment designedly practised in the detentive imprisonment of those who were under trial. When there was no special object to be attained by cruelty, this probably was as mild as could reasonably be expected. From occasional indications in the trials, it would seem that considerable intercourse was allowed with the outside world, as well as between the prisoners themselves, though watchful care was enjoined to prevent communication of any kind which might tend to harden the prisoner against a full confession of his sins.*

The prisons themselves were not designed to lighten the penance of confinement. At best the jails of the Middle Ages were frightful abodes of misery. The seigneurs-justiciers and cities obliged to maintain them looked upon the support of prisoners as a heavy charge of which they would gladly relieve themselves. If a debtor was thrust into a dungeon, although the law limited his confinement to forty days and ordered him to be comfortably fed, these prescriptions were customarily eluded, for the worse he was treated the greater effort he would make to release himself. As for criminals, bread and water were their sole diet, and if they perished through neglect and starvation it was a saving of expense. The prisoner who had money and friends could naturally obtain better treatment by liberal payment; but this alleviation was not often to be looked for in the case of heretics whose property had been confiscated, and with whom sympathy was dangerous.†

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vade in pacem, was such that those subjected to it speedily died in all the agonies of despair. In 1350 the Archbishop of Toulouse appealed to King John to interfere for its mitigation, and he issued an *Ordonnance* that the superior of the convent should twice a month visit and console the prisoner, who, moreover, should have the right twice a month to ask for the company of one of the monks. Even this slender innovation provoked the bitterest resistance of the Dominicans and Franciscans, who appealed to Pope Clement VI., but in vain. — Chron. Bardin, ann. 1350 (Vaissette, IV. Pr. 29).

The hideous abuse of keeping a prisoner in chains was forbidden by the contemporary English law (Bracton, Lib. III. Tract. i. cap. 6).

* Lib. Sententt. Inq. Tolos. pp. 102, 153, 251, 252-4, 301. — Muratori Antiq. Dissert. LX. (T. XII. p. 519). — Bern. Guidon. Practica P. v. (Doat, XXX.). — Arch. de l'Inq. de Carcassonne (Doat, XXVII. 7).

† Beaumanoir, Coutumes du Beauvoisis, cap. 51, No. 7. — G. B. de Lagrèze, La Navarre Francaise, II. 339.

The enormous number of captives resulting from the vigorous operations of the Inquisition in Languedoc had rendered the question as to the duty of building and maintaining prisons one of no little magnitude. It unquestionably rested with the bishops, whose laches in persecuting heresy were only made good by the inquisitors, and the bishops, at the Council of Toulouse, in 1229, had admitted this, only excepting that when the heretic had property those to whom the confiscations inured should provide for him. The burden, however, proved unexpectedly large, and we find them, in the Council of Narbonne, in 1244, trying to shift their responsibility by suggesting that the penitents who, but for the recent papal command, would be sent on crusades, should be utilized in building prisons and furnishing them with necessaries, "lest the prelates be overburdened with the poor converts, and be unable to provide for them on account of their multitude." Two years later, at Béziers, they declared that provision for both construction and maintenance ought to be made by those who profited by the confiscations, to which might be added the fines imposed by the inquisitors, which was not unreasonable; but in 1249 Innocent IV. still asserted that it was their business, and scolded them for not attending to it, and ordered that they be compelled to do it. At length, in 1254, the Council of Albi definitely decided that the holders of confiscated property should make provision for the imprisonment and maintenance of its former owners, and that, when heretics had nothing to confiscate, the cities or lords on whose lands they were captured should be responsible for them, and should be compelled by excommunication to attend to it. Still, the responsibility of the bishops was so self-evident that some zealous inquisitors talked of prosecuting them as fautors of heresy for neglecting to provide prisons, but Gui Foucoix discreetly advises against this, and recommends that such cases should be referred to the Holy See.*

In the accounts of the Sénéchaussée of Toulouse for 1337 there is an item of twenty sols expended in Nov., 1333, for straw for the prisoners to lie on, lest they should perish with cold during the winter. Other items, amounting to eighty-three sols eleven deniers, for the repairs of the fetters and shackles which they wore shows the rigor of their confinement.—Vaissette, Éd. Privat, X. Pr. 798–99.

* Concil. Tolosan. ann. 1229 c. 11.—Concil. Valentin. ann. 1234 c. 5.—Concil. Narbonn. ann. 1244 c. 4. —Coll. Doat, XXXI. 157. — Concil. Biterrens. ann.

The fate of the unfortunate captives was evidently most precarious while their oppressors and despoilers were thus squabbling as to the cost of keeping them in jail and providing them with bread and water. There was evident fitness that those who profited by the enormous confiscations resulting from persecution should at least provide prisons and maintenance for the unhappy victims of fanaticism and greed; and St. Louis, to whom the chief profits came as suzerain of the territories ceded at the Treaty of Paris, recognized in part his responsibility. In 1233 he undertook to provide prisons in Toulouse, Carcassonne, and Béziers. In 1246 he ordered his seneschal to provide for the inquisitors competent prisons in Carcassonne and Béziers, and to furnish daily bread and water for the prisoners. In 1258 we find him ordering his seneschal of Carcassonne to bring to speedy completion those which had been commenced; he assumes that the prelates and barons on whose lands heretics are captured should provide for their maintenance; but, in order to avoid trouble, he is willing that expenditures for this purpose shall be made from the royal funds, to be subsequently collected from the seigneurs. With the death of Alfonse and Jeanne of Toulouse, in 1272, all the territories lapsed to the crown, and, with insignificant exceptions, all the confiscations fell to the king. Henceforth the maintenance of prisons and prisoners, and the wages of jailers and attendants, were defrayed by the crown, except perhaps at Albi, where the bishop shared in the spoils, and seems to have been held to a portion of the expenses. Among the requests of Henri de Chamay, granted in 1329 by Philippe de Valois, is that the inquisitorial prison at Carcassonne shall be repaired by the king, and that all who have shared in the confiscations shall be made to contribute *pro rata*. Thereupon the seneschal assessed the Count of Foix to the extent of three hundred and two livres eleven sols nine deniers, which the latter refused to pay, and appealed to the king, with what result is not known. From a decision of the Parlement of Paris in 1304 it appears that the royal allowance for maintenance was three deniers per diem for each convicted prisoner, which would seem liberal enough, though Jacques de Polignac,

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1246, Append. c. 23, 27. — Innoc. PP. IV. Bull. *Cum sicut*, 1 Mart. 1249 (Doat, XXXI. 114).—Concil. Albiens. ann. 1254 c. 24.—Guid. Fulcod. Quæst. x.

who had charge of the prison at Carcassonne, and who was punished for his frauds, made out his accounts at the rate of eight deniers. This extravagance was not a precedent, and in 1337 we find the accounts still made out at the old rate of three deniers. For the accused detained and awaiting trial the Inquisition itself presumably had to provide. In Italy, where the confiscations, as we shall see, were divided into thirds, the Inquisition was self-supporting. In Naples the royal prisons were employed, and a royal order was required for incarceration.*

While the penance prescribed was a diet of bread and water, the Inquisition, with unwonted kindness, did not object to its prisoners receiving from their friends contributions of food, wine, money, and garments, and among its documents are such frequent allusions to this that it may be regarded as an established custom. Collections were made among those secretly inclined to heresy to alleviate the condition of their incarcerated brethren, and it argues much in favor of the disinterested zeal of the persecuted that they were willing to incur the risk attendant on this benevolence, for any interest shown towards these poor wretches exposed them to accusation to fautorship.†

The prisons were naturally built with a view to economy of construction and space rather than to the health and comfort of the captives. In fact the papal orders were that they should be constructed of small, dark cells for solitary confinement, only taking care that the "*enormis rigor*" of the incarceration should not extinguish life. M. Molinier's description of the Tour de l'Inquisition at Carcassonne, which was used as the inquisitorial prison, shows how literally these instructions were obeyed. It was a horrible place, consisting of small cells, deprived of all light and ventilation, where through long years the miserable inmates endured

* Molinier, op. cit. p. 435.—Vaissette, III. Pr. 536.—Vaissette, Éd. Privat, VIII. 1206.—Arch. de l'hôtel-de-ville d'Albi (Doat, XXXIV. 45).—Bern. Guidon. Gravam. (Doat, XXX. 109).—Isambert. Anc. Loix Francaises, IV. 364.—Vaissette, Éd. Privat, X. Pr. 693-4, 813-14.—Les Olim, III. 148.—Hauréau, Bernard Délicieux, p. 19.—Archivio di Napoli, Reg. 113, Lett. A, fol. 385; Reg. 154, Lett. C, fol. 81; MSS. Chioccorello, T. VIII.

† Arch. de l'Inq. de Carcassonne (Doat, XXVII. 14, 16).—Muratori Antiq. Dissert. LX. (T. XII. pp. 500, 507, 529, 535).—Lib. Sententt. Inq. Tolos. pp. 252-4, 307.—Tract. de Hæres. Paup. de Lugd. (Martene Thesaur. V. 1786).

a living death far worse than the short agony of the stake. In these abodes of despair they were completely at the mercy of the jailers and their servants. Complaints were not listened to; if a prisoner alleged violence or ill-treatment his oath was contemptuously refused, while that of the prison officials was received. A glimpse into the discipline of these establishments is afforded by the instructions given, in 1282, by Frère Jean Galande, Inquisitor of Carcassonne, to the jailer Raoul and his wife Bertrande, whose management had been rather lax. Under pain of irrevocable dismissal he is prohibited in future from keeping scriveners or horses in the prison; from borrowing money or accepting gifts from the prisoners; from retaining the money or effects of those who die; from releasing prisoners or allowing them to go beyond the first door, or to eat with him; from employing the servants on any other work or sending them anywhere, or gambling with them, or permitting them to gamble with each other.*

Evidently a prisoner who had money could obtain illicit favors from the honest Raoul; but these injunctions make no allusion to one of the most crying abuses which disgraced the establishments —the retention by the jailers of the moneys and provisions placed in their hands by the friends of the imprisoned. Frauds of all kinds naturally grew up among all who were concerned in dealing with these helpless creatures. In 1304 Hugolin de Polignac, the custodian of the royal prison at Carcassonne, was tried on charges of embezzling a part of the king's allowance, of carrying the names of prisoners on the rolls for years after their death, and of retaining the moneys contributed for them by their friends; but the evidence was insufficient to convict him. The cardinals whom Clement V. commissioned soon after to investigate the abuses of the Inquisition of Languedoc intimate broadly the nature of the frauds habitually practised, when they required the new jailers whom they appointed to swear to deliver to each captive without diminution the provisions supplied by the king, as well as those furnished by friends—an intimation confirmed by the decretals of Clement V. Their report shows that they were horror-struck with what they saw. At Carcassonne they took the control of

* Practica super Inquisit. (MSS. Bib. Nat., fonds latin, No. 14930, fol. 222).—Molinier, op. cit. p. 449. — Arch. de l'Inq. de Carcassonne (Doat, XXXII. 125; XXXVII. 83).

the prison wholly from the inquisitor, Geoffroi d'Ablis, and placed it in the hands of the bishop, ordering the upper cells to be repaired at once, in order that the aged and sick should be transferred to them; at Albi they struck the chains off the prisoners, commanded the cells to be lighted and new and better ones built within a month; at Toulouse things were equally bad. Everywhere there was complaint of lack of food and of beds, as well as of frequent torture. Their measures for reformation consisted in dividing the responsibility between bishop and inquisitor, whose concurrence was requisite to a sentence of imprisonment, and each of whom should appoint a jailer, while each jailer should have a key to each cell, and swear never to speak to a prisoner except in presence of his colleague. This insufficient remedy was adopted by Clement, and can hardly be imagined to have worked much improvement. Bernard Gui bitterly complained of the infamy cast on the Inquisition by the papal assertion of fraud and ill-treatment in the management of its prisons, and he pronounced the new regulations impracticable. Slender as was the restraint which they imposed on the inquisitors, we may feel sure that it was not long submitted to. In a few years Bernard Gui, in his Practica, assumes that the power of imprisoning lies wholly with the inquisitor; he contemptuously cites the Clementine canon by its title only, and proceeds to quote a bull of Clement IV. as if still in force, giving the authority to the inquisitor, and making no mention of the bishop. In fact, before the century was out, Eymerich considered the Clementine canons on this subject not worth inserting in his work, because, as he tells us, they were nowhere observed in consequence of their cost and inconvenience. About 1500, however, Bernardo di Como admits that the Clementine rule may be observed in punitive confinement after sentence, but holds that the inquisitor has sole control of the detentive prisons used before and during trial.*

* Les Olim, III. 148.—Archives de l'hôtel-de-ville d'Albi (Doat, XXXIV. 45). — Bern. Guidon. Gravam. (Doat, XXX. 105–8). — Ejusd. Practica P. IV. c. 1.— Eymeric. Direct. Inq. p. 587.—Bernardi Comens. Lucerna Inquisit. s. v. *Carcer*.

The passage in the *Practica* alluded to occurs in MSS. Bib. Nat., fonds latin, No. 14579, fol. 258. The allusion to the Clementines is not in the MS. printed by Douais, Paris, 1885, p. 179.

In 1325 Bishop Richard Ledred of Ossory availed himself of the Clementine

With such jailers it is probably rather to their corruption than to any lack of strength in the buildings that we may attribute the occasional escape of the inmates, which appears to have been by no means an infrequent occurrence. Even those who were confined in chains sometimes effected their liberation. More sufficient, however, as a means of release from the horrors of these foul dungeons was the excessive mortality caused by their filthy and unventilated squalor. Occasionally, as we have seen, the unfortunate were unlucky enough to live through protracted confinement, and there is one case in which a woman was graciously discharged, with crosses, in view of her having been for thirty-three years in the prison of Toulouse. As a rule, however, we may conclude that the expectation of life was very short. No records remain, if any were kept, to show the average term of those condemned to lifelong penance; but in the *autos de fé* there occur sentences pronounced upon prisoners who had died before their cases were ended, which show how large was the death-rate. These cases were despatched in batches. In the *auto* of 1310, at Toulouse, there are ten, who had died after confessing their heresy and before receiving sentence; in that of 1319 there are eight. The prison of Carcassonne seems to have been almost as deadly. In the *auto* of 1325 we find a lot of four similar cases, and in that of 1328 there are five. It is only under these peculiar circumstances that we have any chance of guessing at the deaths which occurred in prison, and from these scattered indications we can assume that the insanitary condition of the jails worked its inevitable result without human interference.*

Imprisonment was naturally the most frequent penance inflicted by the inquisitors. In Bernard Gui's Register of Sentences, comprising his operations between 1308 and 1322, there are six hundred and thirty-six condemnations recorded, which may be thus classified:

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canon to claim supervision over the imprisonment of William Outlaw, whom he threw into the Castle of Kilkenny on a charge of fautorship of sorcerers—there being, apparently, no episcopal jail.—Wright's Proceedings against Dame Alice Kyteler, Camden Soc. 1843, p. 81.

*Lib. Sententt. Inq. Tolos. pp. 8, 13, 14, 19, 25, 26, 29, 158–62, 246–8, 255–61.—Arch. de l'Inq. de Carcassonne (Doat, XXVII. 7, 131; XXVIII. 164).

Delivered to the secular court and burned	40
Bones exhumed and burned	67
Imprisoned	300
Bones exhumed of those who would have been imprisoned	21
Condemned to wear crosses	138
Condemned to perform pilgrimages	16
Banished to Holy Land	1
Fugitives	36
Condemnation of the Talmud	1
Houses to be destroyed	16
	636

and this may presumably be taken as a fair measure of the comparative frequency of the several punishments in use.

One peculiarity of the inquisitorial sentence remains to be noted. It always ended with a reservation of power to modify, to mitigate, to increase, and to reimpose at discretion. As early as 1244 the Council of Narbonne instructed the inquisitors always to reserve this power, and it became established as an invariable custom. Even without its formal expression, Innocent IV., in 1245, conferred on the inquisitors, acting with the advice and consent of the bishop of the penitent, authority to modify the penance imposed. The bishop, in fact, usually concurred in these alterations of sentences, but Zanchini informs us that though his assent should be asked, it was not essential, except in the case of clerks. The inquisitor, however, had no power to grant absolute pardons, which was reserved exclusively to the pope. The sin of heresy was so indelible that no authority short of the vicegerent of God could wash it out completely.*

This power to mitigate sentences was frequently exercised. It served as a stimulus to the penitents to give evidence by their deportment of the sincerity of their conversion, and, perhaps, also, it was occasionally of benefit as a means of depleting overcrowded jails. Thus in Bernard Gui's Register of Sentences there occur one hundred and nineteen cases of release from prison, with the obligation to wear the crosses, and of these fifty-one were subse-

* Concil. Narbonn. ann. 1244 c. 7. — Innoc. PP. IV. Bull. *Ut commissum*, 20 Jan. 1245 (Doat, XXXI. 68). — Vaissette, III. Pr. 468. — Concil. Biterrens. ann. 1246, Append. c. 20. — Zanchini, Tract. de Hæret. c. xxi., xxxviii.

quently relieved from the crosses. Besides these latter, there are also eighty-seven cases in which those originally condemned to crosses were permitted to lay them aside. This mercy was not peculiar to the Inquisition of Toulouse. In 1328, in a single sentence, twenty-three persons were released from the prison of Carcassone, their penance being commuted to crosses, pilgrimages, and other observances. What the measure of mercy was in such cases may be guessed from another sentence of commutation at Carcassonne in 1329, liberating ten penitents, among them the Baroness of Montréal. They were required to wear the yellow crosses for life and to perform twenty-one pilgrimages, embracing shrines as distant as Rome, Compostella, Canterbury, and Cologne. They were to hear mass every Sunday and feast-day during life, and present themselves with rods to the officiating priest and receive the discipline in the face of the congregation; and also to accompany all processions and be similarly disciplined at the final station. Existence under such conditions might well be regarded as a doubtful blessing.*

These mitigatory sentences, moreover, like the original ones, strictly reserved the power of alteration and reimposition, with or without cause. When the Inquisition once laid hands upon a man it never released its hold, and its utmost mercy was merely a ticket-of-leave. Just as no verdict of acquittal ever was issued, so the Council of Béziers, in 1246, and Innocent IV., in 1247, told the inquisitors that when they liberated a prisoner he was to be warned that the slightest cause of suspicion would lead him to be punished without mercy, and that they must retain the right to incarcerate him again without the formality of a fresh trial or sentence if the interest of the faith required. These conditions were observed in the formularies and enjoined in the manuals of practice. The penitent was made to understand fully that whatever liberty he enjoyed was subject to the arbitrary discretion of his judge, who could recall him to dungeon or fetters at any moment, and in his oath of abjuration he pledged his person and all his property to appear at once whenever he might be summoned. If Bernard Gui in his Formulary gives a draft of pardon for person and property and disabilities of heirs, he adds a caution that it is

*Arch. de l'Inq. de Carcassonne (Doat, XXVII. 2, 192).

never, or most rarely, to be used. When some great object was to be attained, such as the capture of a prominent heretic teacher, the inquisitors might stretch their authority and hold out promises of this kind to his disciples to induce them to betray him—promises which, it is pleasant to say, were almost universally spurned. If special penances had been imposed, on their fulfilment the inquisitor, if he saw fit, might declare the penitent to be a man of good character, but this did not alter the reservation in the original sentence. The mercy of the Inquisition did not extend to a pardon, but only to a reprieve, *dum bene se gesserit*, and the man who had once undergone a sentence never knew at what moment he might not be summoned to hear of its reimposition or even of a harsher one. Once a delinquent, his fate forever after was in the hands of the silent and mysterious judge who need not hear him nor give any reason for his destruction. He lived forever on the verge of ruin, never knowing when the blow might fall, and utterly powerless to avert it. He was always a subject to be watched by the universal police of the Inquisition — the parish priest, the monks, the clergy, nay, the whole population—who were strictly enjoined to report any neglect of penance or suspicious conduct, when he was at once liable to the awful penalties of relapse. Nothing was easier for a secret enemy than to destroy him, safe that his name would never be mentioned. We may pity the victims of the stake and the dungeon, but their fate was scarce harder than that of the multitudes who were the objects of the Inquisition's apparent mercy, but whose existence from that hour was one of endless, hopeless anxiety.*

The same implacability manifested itself after death. Allusion has frequently been made to the exhumation of the bones of those who by opportunely dying had seemed to exchange the vengeance of man for that of God, and it is only necessary to mention here that the fate of the dead was harder than that of the living. If he had died after confession and repentance, it is true, his punish-

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* Lib. Sententt. Inq. Tolosan. pp. 40, 118, 122, 137, 139, 146, 147.—Bern. Guidon. Practica (Doat, XXIX. 85).—Ejusd. P. v. (Doat, XXX.).—Concil. Biterrens. ann. 1246, Append. c. 21, 22. — Vaissette, III. Pr. 467. — Practica super Inquisit. (MSS. Bib. Nat., fonds latin, No. 14930, fol. 222, 224).—Pegnæ Comment. in Eymeric. p. 509.—Zanchini Tract. de Hæret. c. xx.

ment was only that which he would have received if alive, the digging up replacing imprisonment, and his heirs being forced to perform or compound for any lighter penance; but if he had not confessed and there was evidence of heresy he was classed with the impenitent heretics, his remains were delivered to the secular arm, and his property hopelessly confiscated. This will account for the large number of these executions as shown in the records quoted above. If the secular authorities hesitated to perform the task of exhumation, they were coerced with excommunication.*

The same spirit pursued the descendants. In the Roman law the crime of treason was pursued with merciless vindictiveness, and its provisions are constantly quoted by the canon lawyers as precedents for the punishment of heresy, with the addition that treason to God is far more heinous than that to an earthly sovereign. It was, perhaps, natural that the churchman, in his eagerness to defend the kingdom of God, should follow and surpass the example of the emperors, and this will explain, if it may not justify, much that is abhorrent in the inquisitorial procedure. In the Code of Justinian, treason is made especially odious by inflicting on the sons disability to hold office and to succeed to collateral estates. By the Council of Toulouse, in 1229, even spontaneously converted heretics were declared ineligible to public office. It was natural, therefore, that Frederic II. should apply the Roman practice to heresy, and should extend its provision to grandchildren. This, like the rest of his legislation, was eagerly adopted and enforced by the Church. Alexander IV., however, in a bull of 1257, repeatedly reissued by his successors, explained that this did not apply in cases where the culprit had made amends and performed penance, and this was still further lightened by Boniface VIII., who removed the incapacity from grandchildren by the female line of those who had died in heresy. In this form it remained permanently in the canon law.†

* Concil. Arelatens. ann. 1234 c. 11. — Concil. Albiens. ann. 1254 c. 26. — Lib. Sententt. Inq. Tolosan. pp. 162–7, 203, 246–7, 251–2.—Zanchini Tract. de Hæret. c. xxvii.

† Const. 5 Cod. ix. viii.—Concil. Tolosan. ann. 1229 c. 10.—Hist. Diplom. Frid. II. T. IV. pp. 8, 302. — Innoc. PP. IV. Bull. *Ut commissum*, 21 Jun. 1254.—Alex. PP. IV. Bull. *Quod super nonnullis*, 9. Dec. 1257 (Doat, XXXI. 244).—Ray-

The Inquisition depended so much upon secular officials for assistance that there was some justification in its seeking to prevent those who might be suspected of sympathizing with heresy from holding office in which they could thwart its plans and aid the offender. Yet as there was no prescription of time as to proceedings against the dead, so was there none in invoking disabilities against their descendants, and the records of the Inquisition were an inexhaustible treasury of torment for those who were in any way connected with heresy. No one, in fact, could feel sure that evidence might not at any moment be discovered or manufactured against some long-deceased parent or grandparent, which would ruin his career, and that some industrious searcher into the archives might not find some blot on his genealogical tree. In 1288 Philippe le Bel writes to the Seneschal of Carcassonne that Raymond Vitalis of Avignon is exercising the office of notary in Carcassonne, though his maternal grandfather, Roger Isarn, is said to have been burned for heresy. If this is the fact, the seneschal is ordered to deprive him of the position. In 1292 Guiraud d'Auterive, a sergeant-at-arms of the king, was proceeded against on the same grounds, and we find Guillem de S. Seine, the Inquisitor of Carcassonne, furnishing to the royal procureur evidence that, in 1256, Guiraud's father and mother had confessed to acts of heresy, and that, in 1276, his uncle, Raymond Carbonnel, had been burned as a perfected heretic. In these cases we see the royal power invoked for the dismissal of the official, but in the perfected theory of the Inquisition the inquisitor had the power to deprive of office any one whose father or grandfather had been a heretic or defender of heretics. In order to avoid questions like these, when a penitent had fulfilled his penance, prudent children would take out letters declaratory of the fact, so as to have evidence of capacity to hold office. In special cases the inquisitor had power to relieve descendants of these disabilities, and this was occasionally done; but, like the remission of penance, this relief was only a suspension, liable at any moment to forfeiture on the slightest manifestation of heretical tendencies.*

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nald. ann. 1258, No. 23. —Potthast No. 17745, 18396. — Eymeric. Direct. Inq. p. 123.—C. 15, Sexto v. ii.

* Eymeric. Direct. Inquis. p. 571.— Arch. de l'Inq. de Carcassonne (Doat,

Underlying all these sentences was another on which they, and, indeed, the whole power of the Inquisition, were based in last resort —the sentence of excommunication. Theoretically the censures of the Inquisition might be the same as those of any other ecclesiastics authorized to cut men off from salvation, but the latter had so habitually abused their functions that the anathema, in the mouth of priests who were neither feared nor respected, lost, at times at least, its awe-inspiring authority. The censures of the Inquisition were in the hands of a smaller body of men, selected for their implacable vigor, and no one ever disregarded them with impunity. The secular authorities, moreover, were bound to put to the ban and confiscate the property of any one whom the inquisitor might excommunicate for heresy or fautorship. In fact, as the inquisitors were fond of boasting, their curse was stronger in four ways than that of the secular clergy. They could coerce the temporal government to outlaw the excommunicate; they could force it to confiscate his property; they could condemn any one remaining under excommunication for a year; and they could inflict the major excommunication upon any one communicating with their excommunicates.* Thus they enforced obedience to their citations and submission to their penances. Thus they made the secular power execute their sentences; thus they swept aside the statutes that interfered with their proceedings; thus they proved that the kingdom of God which they represented was superior to the kingdoms of earth. Of all excommunications that of the inquisitor worked the speediest vengeance and inspired the sharpest terror, and the boldest shrank from provoking it.

XXXII. 156).—Regist. Curiæ Franciæ de Carcassonne (Doat, XXXII. 241).—Bernardi Comens, Lucerna Inquisit. s. v. *Inquisitores*, No. 19.—Lib. Sententt. Inq. Tolosan. Index.—Wadding. Regest. Nich. PP. III. No. 10.

* Ripoll, I. 208, 394. —Tractatus de Inquisitione (Doat, XXXVI.). —Bern. Guidon. Practica P. IV. (Doat, XXX.).—Eymeric. Direct. Inquis. 360-1.

CHAPTER XIII.

CONFISCATION.

Although, for the most part, as we shall see, confiscation was technically not the work of the Inquisition, the distinction was rather nominal than real. Even in times and places in which the inquisitor did not pronounce the sentence of confiscation, it was the accompaniment of the sentence which he did pronounce. It was, therefore, one of the most serious of the penalties at his disposal, and the largeness of the results effected by it give it an importance worthy a somewhat minute examination.

For the source of this, as of so much else, we must look to the Roman law. It is true that, cruel as were the imperial edicts against heresy, they did not go to the length of thus indirectly punishing the innocent. Even when the detested Manichæans were mercilessly condemned to death, their property was confiscated only when their heirs were likewise heretics. If the children were orthodox they succeeded to the estate of the heretic parent, who could not execute a will and disinherit them. It was otherwise with crime. Any conviction involving deportation or the mines carried with it confiscation, though the wife could reclaim her dower and any gifts made to her before the commission of the offence, and so could children emancipated from the *patria potestas*. All else inured to the fisc. In *majestas*, or treason, the offender was liable to condemnation after death, involving the confiscation of his estate, which was held to have lapsed to the fisc at the time when he first conceived the crime. These provisions furnished the armory whence pope and king drew the weapons which rendered the pursuit of heresy attractive and profitable.*

King Roger, who occupied the throne of the Two Sicilies during the first half of the twelfth century, seems to have been the

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* Constt. 13, 15, 17 Cod. I. v.; 2, 3, 4, 7, 8, 9 Cod. IX. xlix.; 5, 6 Cod. IX. viii.

first to apply the Roman practice by decreeing confiscation for all who apostatized from the Catholic faith—whether to the Greek Church, to Islam, or to Judaism does not appear. Yet the Church cannot escape the responsibility of naturalizing this penalty in European law as a punishment for spiritual transgressions. The great Council of Tours, held by Alexander III., in 1163, commanded all secular princes to imprison heretics and confiscate their property. Lucius III., in his Verona decretal of 1184, sought to obtain for the Church the benefit of the confiscation which he again declared to be incurred by heresy. One of the earliest acts of Innocent III., in his double capacity of temporal prince and head of Christianity, was to address a decretal to his subjects of Viterbo, in which he says,

"In the lands subject to our temporal jurisdiction we order the property of heretics to be confiscated; in other lands we command this to be done by the temporal princes and powers, who, if they show themselves negligent therein, shall be compelled to do it by ecclesiastical censures. Nor shall the property of heretics who withdraw from heresy revert to them, unless some one pleases to take pity on them. For as, according to the legal sanctions, in addition to capital punishment, the property of those guilty of *majestas* is confiscated, and life simply is allowed to their children through mercy alone, so much the more should those who wander from the faith and offend the Son of God be cut off from Christ and be despoiled of their temporal goods, since it is a far greater crime to assail spiritual than temporal majesty."*

This decretal, which was adopted into the canon law, is important as embodying the whole theory of the subject. In imitation of the Roman law of *majestas*, the property of the heretic was forfeited from the moment he became a heretic or committed an act

* Constt. Sicular. Lib. I. Tit. 3.—Concil. Turon. ann. 1163 c. 4.—Lucii PP. III. Epist. 171.—Innoc. PP. III. Regest. II. 1.—Cap. 10 Extra v. 7.

It was probably in obedience to the canon of Tours that, in 1178, the property of Pierre Mauran of Toulouse was declared forfeited to the count, and he was allowed to redeem it with a fine of five hundred pounds of silver (Roger. Hoveden. Annal. ann. 1178).

The decree of Alonso II. of Aragon against the Waldenses, in 1194, referred to above (p. 81) (Pegnæ Comment. 39 in Eymeric. p. 281), inflicts confiscation on all who favor the heretics, but there are no traces of its enforcement, or of the subsequent canons of the Council of Girona in 1197 (Aguirre V. 102–3). The same may be said of the edicts of Henry VI., in 1194, repeated by Otho IV. in 1210 (Lami, Antichità Toscane, p. 484).

of heresy. If he recanted, it might be restored to him purely in mercy. When the ecclesiastical tribunals declared him to be, or to have been, a heretic, confiscation operated itself; the act of seizing the property was a matter for the secular power to whom it inured, and the mercy which might spare it could only be shown by that power. All this it is requisite to keep in mind if we would correctly appreciate some points which have frequently been misunderstood.

Innocent's decretal further illustrates the fact that at the commencement of the struggle with heresy the chief difficulty encountered by the Church in relation to confiscation was to persuade or coerce the temporal rulers to do what it held to be their duty in taking possession of heretical property. This was one of the principal offences which Raymond VI. of Toulouse expiated so bitterly, as explained to him by Innocent in 1210. His son proclaimed it as the law in his statutes of 1234, and included in its provisions, in accordance with the Ordonnance of Louis VIII., in 1226, and that of Louis IX., in 1229, all who favored heretics in any way or refused to aid in their capture; but his policy did not always comport with its enforcement, and he sometimes had to be sternly rebuked for non-feasance. After all danger of armed resistance had disappeared, however, sovereigns, as a rule, eagerly welcomed the opportunity of recruiting their slender revenues, and the confiscation of the property of heretics and of fautors of heresy was generally recognized in European law, although the Church was occasionally obliged to repeat its injunctions and threats, and though there were some regions in which they were slackly obeyed.*

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* Innoc. PP. III. Regest. XII. 154 (Cap. 26 Extra v. xl.).—Isambert, Anc. Loix Françaises I. 228, 232.—Harduin. VII. 203-8.—Vaissette, III. Pr. 385.—Concil. Albiens. ann. 1254 c. 26.—Innoc. PP. IV. Bull. *Cum fratres*, ann. 1252 (Mag. Bull. Roman. I. 90).

Confiscation was an ordinary resource of mediæval law. In England, from the time of Alfred, property, as well as life, was forfeited for treason (Alfred's Dooms 4—Thorpe I. 63), a penalty which remained until 1870 (Low and Pulling's Dictionary of English History, p. 469). In France murder, false-witness, treachery, homicide, and rape were all punished with death and confiscation (Beaumanoir, Coutumes du Beauvoisis xxx. 2–5). By the German feudal law the fief might be forfeited for a vast number of offences, but the distinction was drawn that, if the offence was against the lord, the fief reverted to him; if simply a

The relation of the Inquisition to confiscation varied essentially with time and place. In France the principle derived from the Roman law was generally recognized, that the title to property devolved to the fisc as soon as the crime had been committed. There was therefore nothing for the inquisitor to do with regard to it. He simply ascertained and announced the guilt of the accused and left the State to take action. Thus Gui Foucoix treats the subject as one wholly outside of the functions of the inquisitor, who at most can only advise the secular ruler or intercede for mercy; while he holds that those only are legally exempt from forfeiture who come forward spontaneously and confess before any evidence has been taken against them. In accordance with this, there is, as a rule, no allusion to confiscation in the sentences of the French Inquisition, though in one or two instances chance has preserved for us, in the accounts of the *procureurs des encours*, or royal stewards of the confiscations, evidence that estates were sold and covered into the fisc in cases in which the forfeiture is not specified in the sentence. In condemnations of absentees and of the dead, confiscation is occasionally declared, as though in these the State might need some guidance, but even here the practice is not uniform. In a sentence issued by Guillem Arnaud and Étienne de S. Thibery, November 24, 1241, on two absentees, their estates are adjudged to whom it may concern. In the Register of Bernard de Caux (1246–1248), in thirty-two cases of contumacious absentees confiscation is included in the sentence, and in nine similar ones it is omitted, as well as in one hundred and fifty-nine condemnations to prison in which it was undoubtedly operative. In the Inquisition of Carcassonne, a sentence of December 12, 1328, on five deceased persons, who would have been imprisoned had they lived, ends with "*et consequenter bona ipsorum dicimus confiscanda*," while a previous sentence, February 24, 1325, identical in character, on four defunct culprits, has no such corollary appended. In fact, strictly speaking, it was recognized that the in-

crime, it descended to the heirs (Feudor. Lib. I. Tit. xxiii.–iv.). In Navarre, confiscation formed part of the penalties of suicide, murder, treason, and even of blows or wounds inflicted where the queen or royal children were dwelling. There is a case in which confiscation was enforced on a man because he struck another at Olite, which was within a league of Tafalla, where the queen chanced to be staying at the time (G. B. de Lagrèze, La Navarre Française II. 335).

quisitor had no power to remit confiscations without permission from the fisc, and the custom of extending mercy to those who came forward voluntarily and confessed was founded upon a special concession to that effect granted by Raymond of Toulouse to the Inquisition in 1235. As soon as a suspected heretic was cited or arrested the secular officials sequestrated his property and notified his debtors by proclamation. No doubt, when condemnation took place, the inquisitor communicated the result to the proper officials, but as a rule no record of the fact seems to have been kept in the archives of the Holy Office, although an early manual of practice specifies it as part of his duty to see that the confiscation was enforced. At a later period, in 1328, in a record of an assembly of experts held at Pamiers, the presence is specified of Arnaud Assalit, royal *procureur des encours* of Carcassonne, so that probably by this time it had become customary for that official to attend these deliberations and thus obtain early notice of the sentences to be passed.*

In Italy it was long before any settled practice was established. In 1252 a bull of Innocent IV. directs the rulers of Lombardy, Tarvisina, and Romagna to confiscate without fail the property of all who were excommunicated as heretics, or as receivers, defenders, or fautors of heretics, thus recognizing confiscation as a matter belonging to the secular power. Yet soon the papal authority succeeded in obtaining a share of the spoils, even beyond the limits of the States of the Church, as is seen in the bulls *Ad extirpanda* of Innocent IV. and Alexander IV., and the matter thus became one in which the Inquisition had a direct interest. The indifference which so well became the French tribunals was therefore not readily maintained, and the share of the inquisitor in the results led him to participate in the process of securing them. Yet there

* Guid. Fulcod. Quæst. xv.—Coll. Doat, XXI. 154; XXXIII. 207; XXXIV. 189; XXXV. 68.—MSS. Bib. Nat., fonds latin, No. 9992.—Coll. Doat, XXVIII. 131, 164.—Responsa Prudentum (Doat, XXXVII. 83).—Grandes Chroniques, ann. 1323.—Les Olim, T. I. p. 536.—Guill. Pelisso Chron. Ed. Molinier, p. 27.—Practica super Inquisit. (MSS. Bib. Nat., fonds latin, No. 14930, fol. 224).—Coll. Doat, XXVII. fol. 118.

In 1460, when the nearly extinct French Inquisition was resuscitated to punish the sorcerers of Arras, confiscation formed part of the sentence.—Mémoires de Jacques du Clercq, Liv. IV. ch. 4.

were variations in practice. Zangbino tells us that formerly confiscations were decreed in the States of the Church by the ecclesiastical judges and elsewhere by the secular power, but that in his time (circa 1320) they were everywhere (in Italy) included in the jurisdiction of the episcopal and inquisitorial courts, and the secular authorities had nothing to do with them; but he adds that confiscation is prescribed by law for heresy, and that the inquisitor has no discretion to remit it, except in the case of voluntary converts with the assent of the bishop. Yet though the forfeiture occurs *ipso facto* by the commission of the crime, it requires a declaratory sentence of confiscation. This consequently was expressed in the most formal manner in the condemnation of the accused by the Italian Inquisition, and the secular authorities were told not to interfere unless called upon.*

At a very early period in some places the Italian inquisitors seem to have undertaken not only to decree but to control the confiscations. About 1245 we find the Florentine inquisitor, Ruggieri Calcagni, sentencing a Catharan named Diotaiuti, for relapse, with a fine of one hundred lire. Ruggieri acknowledges the receipt of this, to be applied to the pope, or to the furtherance of the faith, and formally concedes the rest of the heretic's estate to his wife Jacoba, thus exercising ownership over the whole. Yet this was not maintained, for in 1283 there is a sentence of the Podestà of Florence, reciting that the inquisitor Frà Salomone da Lucca had notified him that the widow Ruvinosa, lately deceased, had died a heretic, and that her property was to be confiscated; whereupon he orders it to be seized and sold, and the proceeds divided according to the papal constitutions. At length, however, the inquisitors assumed and exercised full control over the handling of the confiscations. In the conveyance of a confiscated house by the municipal authorities of Florence, in 1327, to the Dominicans, the deed is careful to assert that it is made with the assent of the inquisitor. Even in Naples we see King Robert, in 1324, ordering the inquisitors to pay out of the royal share of the confiscations fifty ounces of gold to the Prior of the Church of San Domenico of Naples, to aid in its completion.†

* Coll. Doat, XXXI. 175.—Zanchini Tract. de Hæret. c. xviii., xxv., xxvi., xli.—Archivio Storico Italiano, No. 38, p. 29.

† Lami, Antichità Toscane, 560, 588-9.—Zanchini Tract. de Hæret. c. xxvi.—

In Germany the Diet of Worms, in 1231, indicates the confusion existing in the feudal mind between heresy and treason by allowing the allodial lands and personal property of the condemned to descend to the heirs, while fiefs were confiscated to the suzerain. If he was a serf, his goods inured to his master; but from all personal property was deducted the cost of burning its owner and the *droits de justice* of the seigneur-justicier. Two years later, in 1233, the Council of Mainz protested against the injustice, which quickly showed itself in Germany as elsewhere, of assuming guilt as soon as a man was accused, and treating his property as though he were convicted. It directed that the estates of those on trial should remain untouched until sentence was rendered, and any one who meanwhile should plunder or partition them should be excommunicated until he made restitution and rendered satisfaction. Finally, however, when the Emperor Charles IV. endeavored to introduce the Inquisition into Germany, in 1369, he adopted the Italian custom and ordered one third of the confiscations to be made over to the inquisitors.*

The exact degree of criminality which entailed confiscation is not capable of very rigid definition. Even in states where the inquisitor nominally had no control over it, the arbitrary discretion lodged with him as to the fate of the accused placed the matter practically in his hands, and his notification to the secular authorities would be a virtual sentence. It is probable that custom varied with time and with the temper of the inquisitor. We have seen that Innocent III. commanded it for all heretics, but what constituted technical heresy was not so easily determined. The statutes of Raymond decreed it not only for heretics, but for those who showed them favor. The Council of Béziers, in 1233, demanded it for all reconciled converts not condemned to wear crosses, and those of Béziers, in 1246, and Albi, in 1254, prescribed it for all whom the inquisitors should penance with imprisonment. Still, in a sentence of February 19, 1237, in which the inquisitors

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Archiv. di Firenze, Prov. S. Maria Novella, Nov. 18, 1327.—Archivio di Napoli, Regist. 253, Lett. A, fol. 63.

* Hist. Diplom. Frid. II. T. III. p. 466.—Kaltner, Konrad v. Marburg u. die Inquisition, Prag, 1882, p. 147.—Mosheim de Beghardis, p. 347.

of Toulouse condemn some twenty or thirty penitents to perpetual imprisonment, confiscation is only threatened as an additional punishment in case they do not perform the penance. Imprisonment, however, finally was admitted by legists as the invariable test; although St. Louis, when in 1259 he mitigated his Ordonnance of 1229, ordered confiscation not only for those who were condemned to prison, but for those who contumaciously refused obedience to citations and those in whose houses heretics were found, his officials being instructed to ascertain from the inquisitors in all cases, while pending, whether the accused deserved imprisonment, and if so, to retain the sequestrated property. When he further provided, as a special grace, that the heirs should be restored to possession in cases where the heretic had offered himself for conversion before citation, had entered a religious order, and had worthily died there, he shows how universal confiscation had previously been and how ruthlessly the principle had been enforced that a single act of heresy forfeited all ownership. In fact, even at the close of the fifteenth century, the rule was laid down that confiscation was a matter of course, while restoration of property to a reconciled penitent required an express declaration.*

According to the most lenient construction of the law, therefore, the imprisonment of a reconciled convert carried with it the confiscation of his property, and as imprisonment was the ordinary penance, confiscation was general. There may possibly have been exceptions. The six prisoners released in 1248 by Innocent IV. had been in jail for some time—some of them for four years and more after confessing heresy — and yet the liberal contributions to the Holy Land which purchased their pardon show that they or their friends must have had control of property — unless, indeed, the money was raised on a pledge of the estates to be restored. So when Alaman de Roaix was condemned to imprisonment by Bernard de Caux, in 1248, the sentence provided for an annuity to be paid to a person designated, and for compensation to be made for the rapine which he had committed, which would look as though

*Harduin. VII. 203. — Concil. Biterrens. ann. 1233 c. 4; ann. 1246, Append. c. 35. — Concil. Albiens. ann. 1254 c. 26. — Coll. Doat, XXI. 151. — Guid. Fulcod. Quæst. xv. — Isambert Anc. Loix Françaises, I. 257. — Arch. de l'Inq. de Carcassonne (Doat, XXXI. 263). — Bernardi Comens. Lucerna Inquisit. s. v. *Filii.*

property were left to him; but as he had for ten years been a contumacious and proscribed fugitive, these fines must have been taken out of his estate in the hands of the State. Apparent exceptions such as these can be accounted for, and the proceedings of the Inquisition as a whole indicate that imprisonment and confiscation were inseparable. Sometimes, even, it is stated in sentences passed upon the dead that they are pronounced worthy of imprisonment in order to deprive the heirs of succession to the estates. At a later date, indeed, Eymerich, who dismisses the whole matter briefly as one with which the inquisitor has no concern, speaks as though confiscation only took place when a heretic did not repent and recant before sentence, but his commentator, Pegna, easily proves this to be an error. Zanghino assumes as a matter of course that property is forfeited by the act of heresy; and he points out that pecuniary penances cannot be imposed because the whole estate is gone, although there may be mercy shown at discretion with the assent of the bishop, and simple suspicion is not subject to confiscation.*

In the early zeal of persecution everything was swept away in wholesale seizure, but, in 1237, Gregory IX. assumed that the dowers of Catholic wives ought to be exempt in certain cases, and in 1247 Innocent IV. erected it into a rule that such dowers should be restored to the wives and should not be included in future forfeitures, although heresy would not justify divorce, and, in 1258, St. Louis accepted this rule. It was subject to serious limitations, however, since under the canon law the wife could not claim it if she had been cognizant of the husband's heresy when she married, and, according to some authorities, if she had lived with him after ascertaining it, or even if she had failed to inform against him within forty days after discovering it. As the children were incapable of inheritance, she only held the dower for life, after which it fell into the fisc.†

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*Archives de l'Inq. de Carcassonne (Doat, XXXI. 152).—Berger, Registres d'Innoc. IV. No. 1844.—MSS. Bib. Nat., fonds latin, No. 9992.—Lib. Sententt. Inq. Tolosan. pp. 158-63.—Arch. de l'Inq. de Carcassonne (Doat, XXVII. 98).—Eymeric. Direct. Inquis. pp. 663-5.—Zanchini Tract. de Hæret. c. xviii., xix., xxv.

†Archives de l'Évêché de Béziers (Doat, XXXI. 35).—Potthast No. 12743.—Isambert, I. 257.—C. 14 Sexto v. 2.—Zanchini Tract. de Hæret. c. xxv.—Livres de Jostice et de Plet, Liv. I. Tit. iii. § 7.

Although in principle confiscation was an affair of the State, the division of the spoils did not follow any invariable rule. Before the organization of the Inquisition, when the Waldenses of Strassburg were burned, it is mentioned that their forfeited property was equally divided between the Church and the secular authorities. Lucius III., as we have just seen, endeavored to turn the forfeitures to the benefit of the Church. In the papal territory there could be little question as to this, and Innocent IV., in his bull *Ad extirpanda* of 1252, showed disinterestedness in devoting the whole proceeds to the stimulation of persecution. One third was given to the local authorities, one third to the officials of the Inquisition, and one third to the bishop and inquisitor, to be expended in the assault on heresy — provisions which were retained in the subsequent recensions of the bull by Alexander IV. and Clement IV., while forfeited bail went exclusively to the inquisitor. Yet this was speedily held to refer only to the independent states of Italy, for, in 1260, we find Alexander IV. ordering the inquisitors of Rome and Spoleto to sell the confiscated estates of heretics and pay over the proceeds to the pope himself; and a transaction of 1261 shows Urban IV. collecting three hundred and twenty lire from some confiscations at Spoleto.*

At length, both in the Roman province and elsewhere throughout Italy, the custom settled down to a tripartite division between the local community, the Inquisition, and the papal camera, the reason for the latter, as given by Benedict XI., being that the bishops appropriated to themselves the share intrusted to them for the persecution of heresy. In Florence a transaction of 1283 shows this to be the received regulation; and documents of various dates during the next half-century indicate that it was the custom of the republic to appoint attorneys or trustees to take seisin of confiscated property in the name of the city, which in 1319 liberally granted its share for the next ten years to the construction of the church of Santa Reparata. That the amounts were not small may be guessed from a petition of the inquisitors to the republic in 1299, setting forth that the Holy Office must have funds wherewith

* Hoffmann, Geschichte der Inquisition, II. 370. — Lucii PP. III. Epist. 171. — Innoc. PP. IV. Bull. *Ad extirpanda*, § 34. — Ejusd. Bull. *Super extirpatione*, 30 Mai. 1254 (Ripoll, I. 247). — Alex. PP. IV. Bull. *Discretioni* (Mag. Bull. Rom. I. 120). — Potthast No. 18200.

to pay its stipendiary officials, and therefore praying leave to invest in real estate the sums accruing to the Inquisition from this source—showing accumulations prudently garnered for the future. The request was granted to the extent of one thousand lire, with the proviso that none of the city's share be taken. This latter precaution would seem to argue no great confidence in the integrity of the inquisitors, nor was the insinuation uncalled for. By this time the money-changers had fairly occupied the Temple, and, as we have seen in the last chapter, it seemed almost impossible to preserve official honesty when persecution had become almost as much a financial speculation as a matter of faith. That plain-spoken Franciscan, Alvaro Pelayo, Bishop of Silva, writing about the year 1335, bitterly reproaches those of his brethren who act as inquisitors with their abuse of the funds accruing to the Holy Office. The papal division into thirds he declares was generally disregarded; the inquisitors monopolized the whole and spent it on themselves or enriched their kindred at their pleasure. Chance has preserved in the Florentine archives some documents confirmatory of this accusation. It seems that in 1343 Clement VI. obtained evidence that the inquisitors of both Florence and Lucca were habitually defrauding the papal camera of its third of the fines and confiscations, and accordingly he sent to Pietro di Vitale, Primicerio of Lucca, authority to collect the sums in arrears and to prosecute the embezzlers. How it fared with them we have no means of knowing, but the camera seems not to have gained much. In filling the vacancies thus occasioned Pietro di Aquila, a Franciscan of high standing, was appointed in Florence, who fell at once into the same evil ways, and within two years was obliged to fly from a prosecution by the primicerio, in addition to the charges of extortion brought against him by the republic.*

In Naples, under the Angevines, when the Inquisition was first introduced, Charles of Anjou monopolized the confiscations with the same rapacity that was customary in France. As early as March, 1270, we find him writing to his representatives in the Principato Ultra that three heretics had recently been burned at

* Nich. PP. IV. Bull. *Habet vestræ*, 3 Oct. 1290.—Raynald. ann. 1438, No. 24.—Lami, Antichità Toscane, pp. 588–9.—Alv. Pelag. de Planctu Eccles. Lib. II. art. 67.—Archivio di Firenze, Riformagioni, Classe v. No. 110; Classe XI. Distinz. 1, No. 39.

Benevento, whose estates he orders looked after and accounted for in detail. In 1290, however, Charles II. ordered the fines and confiscations to be divided into thirds, of which one should inure to the royal fisc, one be used for the promotion of the faith, and one be given to the Inquisition. Feudal lands, however, were to revert to the crown or to the immediate lord as the case might require.*

In Venice the compromise reached in 1289 between the signiory and Nicholas IV., whereby the republic permitted the introduction of the Inquisition, provided that all receipts of the Holy Office should be for the benefit of the State, and this arrangement seems to have been maintained. In Piedmont the confiscations were divided between the State and the Inquisition until, in the latter half of the fifteenth century, Amedeo IX. took the whole, allowing to the Holy Office only the expenses of the proceedings.†

In the other Italian states the papal curia grew dissatisfied with its share, when there was no longer a necessity of purchasing the co-operation of the civil power with a third of the spoils. It is a disputed point with the jurists when and how the change was effected, but in the first quarter of the fourteenth century the Church succeeded in grasping the whole of the confiscations, which were divided equally between the Inquisition and the papal camera. The rapacity with which this source of income was exploited is illustrated in a case occurring at Pisa in 1304. The inquisitor Angelo da Reggio had condemned the memory of a deceased citizen, Loterio Bonamici, and confiscated his property, part of which he then gave away and part he sold at prices which the papal curia esteemed too low. Benedict XI. thereupon ordered the Bishop of Ostia not to punish the inquisitor, but to use freely the censures of the Church in hunting up the assets in the hands of the holders and to take it from them. Finally, in 1438, Eugenius IV. generously handed back to the bishops the share of the papal camera in order to stimulate their slackness in persecution, and, where the bishop was also the temporal lord of his see, the confiscations were to be equally divided between him and the Inquisition. Bernardo di Como, however, writing about the year 1500, asserts that the

* Archivio di Napoli, Registro 9, Lett. C, fol. 90; Regist. 51, Lett. A, fol. 9; Reg. 98, Lett. B, fol. 13; Reg. 113, Lett. A, fol. 194; MSS. Chioccorelli, T. VIII.

† Albizio, Risposto al P. Paolo Sarpi, p. 25.—Sclopis, Antica Legislazione del Piemont, p. 485.

whole confiscations inure to the inquisitor to be expended at his discretion; but he subsequently admits that the subject is confused and uncertain, owing to contradictory papal decisions and conflicting jurisdictions in different territories.*

In Spain the rule was laid down that if the heretic were a clerk, or a lay vassal of the Church, the confiscation went to the Church; if otherwise, to the temporal seigneur.†

This greed for the plunder of the wretched victims of persecution is peculiarly repulsive as exhibited by the Church, and may to some extent palliate the similar action by the State in countries where the latter was strong enough to seize and retain it. The threats of coercion, which at first were necessary to induce the temporal princes to confiscate the property of their heretical subjects, soon became superfluous, and history has few displays of man's eagerness to profit by his fellow's misfortunes more deplorable than that of the vultures which followed in the wake of the Inquisition to batten on the ruin which it wrought.

In Languedoc at first the Inquisition endeavored to control the confiscations for the purpose of building prisons and maintaining prisoners, but these pretensions received no attention. Under the feudal system, the confiscations were for the benefit of the seigneur haut-justicier. The rapid extension of the royal jurisdiction, in the second half of the thirteenth century in France, ended by practically placing them in the hands of the king, but during the earlier and more profitable period there were quarrels over the spoils. After the treaty of Paris, in 1229, St. Louis, in granting fiefs in the newly-acquired territories, seems to have endeavored to provide for these questions by reserving the confiscations for heresy. The prudence

* Zanchini Tract. de Hæret. c. xix., xxvi., xli. Cf. Pegnæ Comment. in Eymeric. p. 659.—Grandjean, Registre de Benoît XI. No. 299.—Raynald. ann. 1438, No. 24. —Bernardi Comens. Lucerna Inquis. s. v. *Bona hæreticorum*, No. 6, 8. As early as 1387, in the sentences of Antonio Secco on the Waldenses of the Alpine valleys, the confiscations are declared to be solely for the benefit of the Inquisition (Archivio Storico Italiano, No. 38, pp. 29, 36, 50).

It must be placed to the credit of Benedict XI. that, in 1304, he authorized Frà Simone, Inquisitor of Rome, to restore confiscations unjustly made by his predecessors and to moderate punishments inflicted by them if he considered them too severe (Grandjean, No. 474).

† Alonsi de Spina Fortalicii Fidei, Lib. II. Consid. xi. (fol. 74 Ed. 1594).

of this is shown by the suit brought by the Maréchaux de Mirepoix —one of the few families founded by the adventurers who accompanied de Montfort—who claimed the movables of all heretics captured in their lands, even if the goods were in the lands of the king—a demand which was rejected by the Parlement of Paris, in 1269. The bishops put in a claim to the confiscations of all real and personal property of heretics living under their jurisdiction, and at the Council of Lille (Comtat Venaissin) in 1251, they threatened with excommunication any one who should dispute it. The groundlessness of this claim is seen in an agreement made under the auspices of the Legate Romano in December, 1229, between the Bishop of Béziers and the king, in which the royal right to the confiscations is recognized as incontestable, and the bishop only stipulates that in case of fiefs they shall, if granted, be held subject to his seignorial rights, or if the king retains them some compensation shall be made for the loss of the suzerainty. This indicates a source of reasonable complaint, for, in the annexation of fiefs to the crown, the bishops found themselves losing in place of profiting by persecution. Various efforts were made to adjust these conflicting claims over the spoil. By a transaction of 1234 we see that the king had subjected himself to the stipulation of parting with all confiscated property within a year and a day. The Council of Béziers, in 1246, adopted a canon on the subject, but it could not be enforced, and at length, about 1255, St. Louis agreed upon a compromise, whereby all confiscated lands subject to the bishops were equally divided, with a right on the part of the prelates to buy out, within two months, the royal share at a price fixed by arbitration; if this right was not exercised the king was bound, within a year and a day, to pass the lands out of his hands into those of a person of the same condition as the former owner, to be held under the same terms of service or villeinage; but all movables were declared to belong unreservedly to the crown. Under this arrangement the temporalities of the sees grew rapidly. We have seen the apostolic poverty which afflicted the bishops of Toulouse prior to the crusades: during the succeeding century the whole land was impoverished and the cities suffered especially, yet when, in 1317, John XXII. carved six new bishoprics out of the see of Toulouse, his reason was found in the excessive revenues of the bishop, amounting to forty thousand livres Tournois per annum, al-

though it had already been shorn of nearly half of its territory by Boniface VIII. to form the see of Pamiers.*

The bishops of Albi were especially active and fortunate in this saturnalia of plunder. During the confusion of the wars and the settlement they assumed rights, including *haute justice* and the confiscations, which led to contests with the representatives of the crown, lasting for thirty years. They were specially active in the pursuit of heretics, which they thus found profitable as well as praiseworthy. In 1247 Bishop Bertrand procured from Innocent IV. a special deputation of inquisitorial power, probably to strengthen his claims, and the next year he drove a thriving business in selling commutations for confiscation to condemned and repentant heretics—an expedient more lucrative than regular, for when Alphonse of Poitiers, in 1253, endeavored to speculate in the confiscations in the same way, he was compelled to desist by the Archbishop of Narbonne and the Bishop of Toulouse, who declared that it would lead to the scandal of the faithful and the destruction of religion. Finally, to settle the claims of the bishop on the confiscations, St. Louis, in December, 1264, made with Bernard de Combret, the incumbent of the see, a convention, promptly confirmed by Urban IV., by which the prelate was entitled to one half of all confiscations of realty and personalty within the diocese, with the further advantage that the king's share of the real estate passed into possession of the bishop if it was not sold within a twelvemonth, and became his absolute property if not sold within

* MSS. Bib. Nat., fonds latin, No. 14930, fol. 224.—Livres de Jostice et de Plet, Liv. I. Tit. iii. § 7.—Vaissette, III. 391.—Les Olim, I. 317.—MSS. Bib. Nat., fonds latin, No. 11847.—Concil. Insulan. ann. 1251 c. 3.—Teulet, Layettes, II. 165.—Concil. Biterrens. ann. 1246 c. 4.—Vaissette, Éd. Privat, VIII. 975.—Baluz. Coucil. Narbonn. Append. pp. 96–99.—Coll. Doat, XXXV. 48. Cf. Berger, Registres d'Innoc. IV. No. 1543–4, 1547–8.—Vaissette, IV. 170.—Baudouin, Lettres inédites de Philippe le Bel, Paris, 1886, p. xl.

In spite of the general sense of equity manifested by St. Louis, he was by no means indifferent to acquisitions justified by the spirit of the age. In 1246 there seems to have been a raid made upon the Jews of Carcassonne, who were thrown into prison. In July St. Louis writes to his seneschal that he wants to get from them all that he can; they are, therefore, to be held in strict duress, while the amount which they can be made to pay is to be reported to him. In August he writes that the sum proposed is not satisfactory, and the seneschal is instructed to extort all that he can.—Vaissette, Éd. Privat, VIII. 1191–2.

three years. Accordingly in the accounts of the royal *procureurs des encours* of Carcassonne we constantly find the confiscations in Albi shared with the bishop. Although between St. John's day 1322 and 1323 this share in money amounted only to one hundred and sixty livres, there were times when it was much greater. About the year 1300 Bishop Bernard de Castanet generously gave to the Dominican Church of Albi his portion of the estates of two citizens, Guillem Aymeric and Jean de Castanet, condemned after death, which amounted to more than one thousand livres. It can readily be imagined that this arrangement with the crown gave rise to constant quarrels. In vain Philippe le Bel, in 1307, ordered the observance of the agreement with restitution for any infractions. In 1316 we find the bishop claiming properties which had not been sold within the three years, and Arnaud Assalit, the *procureur*, arguing that he had been prevented from effecting sales by just and legitimate causes, when the seneschal, Aymeric de Croso, decided that the impediments had been legitimate, and that the rights of the king were not forfeited.*

These were not the only questions arising from this wholesale spoliation which afforded an ample harvest to the legal profession. A suit brought by the bishops of Rodez for some lands held by the crown as heretic confiscations dragged on for thirty years until it reached the Parlement of Paris, which coolly annulled all the proceedings on the ground that those who had acted for the crown had lacked the requisite authority. Almost equally protracted and confused was a suit between Eleanor de Montfort, Countess of Vendôme, and the king over the lands of Jean Bandier and Raymond Calverie. The confiscations occurred in 1300; in 1327 the suit was still pursuing its weary way, to be finally compromised in 1335.†

All prelates were not as rapacious as those of Albi, one of whom we find still, in 1328, complaining of the evasions resorted to by the victims to save a fragment of their property for their

* A. Molinier (Vaissette, Éd. Privat, VII. 284–94; VIII. 919).—Coll. Doat, XXXIV. 131, 135, 189; XXXV. 93.—Urbani PP. IV. Epist. 62 (Martene Thesaur. II. 94).—Bern. Guidon. Hist. Conv. Albiens.—Vaissette, III. Pr. 467, 500.—Arch. de l'Inq. de Carcass. (Doat, XXXI. 143, 146).

† C. Molinier, L'Inquisition dans le midi de la France, p. 101.—Les Olim, III. 1126-9, 1440-2. See also I. 920.

families; but the princes and their representatives were relentless in grasping all that they could lay their hands on. I have mentioned that as soon as a suspect was cited before the Inquisition his property was sequestrated to await the result, and proclamation was made to all his debtors and those who held his effects to bring everything to the king. Charles of Anjou carried this practice to Naples, where a royal order, in 1269, to arrest sixty-nine heretics contains instructions to seize simultaneously their goods, which are to be held for the king. So assured were the officials that condemnation would follow trial that they frequently did not await the result, but carried out the confiscation in advance. This abuse was coeval with the founding of the Inquisition. In 1237 Gregory IX. complained of it and forbade it, but to little purpose, for in 1246 the Council of Béziers again prohibited it, unless, indeed, the offender had knowingly adhered to those who were known to be heretics, in which case, apparently, it was sanctioned. When, in 1259, St. Louis mitigated the rigors of confiscation, he indirectly forbade this wrong by instructing his officials that, when the accused was not condemned to imprisonment, they should give him or his heirs a hearing to reclaim the property; but, if there was any suspicion of heresy, it was not to be restored without taking security that it should be surrendered if anything was proved within five years, during which period it was not to be alienated. Yet still the outrage of confiscation before conviction continued with sufficient frequency to induce Boniface VIII. to embody its prohibition in the canon law. Even this did not put a stop to it. The Inquisition had so habituated men's minds to the belief that no one escaped who had once fallen into its hands, that the officials considered themselves safe in acting upon the presumption. By an unusual coincidence we have the data from various sources in a single case of this kind which is doubtless the type of many others. In the prosecutions at Albi in 1300, a certain Jean Baudier was first examined January 20, when he acknowledged nothing. At a second hearing, February 5, he confessed to acts of heresy, and he was condemned March 7. Yet his confiscated property was sold January 29, not only before his sentence, but before his confession. Guillem Garric, charged with complicity in the plot to destroy the inquisitorial records of Carcassonne in 1284, was not sentenced until 1319, but in 1301 we find the Count of Foix

and the royal officials quarrelling over his confiscated castle of Monteirat.*

The ferocious rapacity with which this process of confiscation was carried on may be conceived from a report made by Jean d'Arsis, Seneschal of Rouergue, to Alphonse of Poitiers, about 1253, as an evidence of the zeal with which he was guarding the interests of his suzerain. The Bishop of Rodez was conducting a vigorous episcopal inquisition, and at Najac had handed over a certain Hugues Paraire as a heretic, whom the seneschal burned "incontinently" and collected over one thousand livres Tournois from his estate. Hearing, subsequently, that the bishop had cited before him at Rodez six other citizens of Najac, d'Arsis hastened thither to see that no fraud was practised on the count. The bishop told him that these men were all heretics, and that he would make the count gain one hundred thousand sols from their confiscations, but both he and his assessors begged the seneschal to forego a portion to the culprits or their children, which that loyal servitor bluntly refused. Then the bishop, following evil counsel, and in fraud of the rights of the count, endeavored to elude the forfeiture by condemning the heretics to some lighter penance. The seneschal, however, knew his master's rights and seized the property, after which he allowed some pittance to the penitents and their children, reporting that in addition to this he was in possession of about one thousand livres; and he winds up by advising the count, if he wishes not to be defrauded, to appoint some one to watch and supervise the further inquisitions of the bishop. On the other hand the bishops complained that the officials of Alphonse permitted heretics, for a pecuniary consideration, to retain a part or the whole of their confiscated property, or else condemned to the flames those who did not deserve it in order to seize their estates. These frightful abuses grew so unbearable that, in 1254, the officials of Alphonse, including Gui Foucoix, endeavored to reform them by issuing general regulations on the subject, but the matter was one

* Archives de l'Évêché d'Albi (Doat, XXXV. 83).—Les Olim, I. 556.—Archivio di Napoli, Regist. 4, Lett. B, fol. 47.—Archives de l'Évêché de Béziers (Doat, XXXI. 35).—Concil. Biterrens. ann. 1246 c. 3.—Isambert, Anc. Loix Françaises, I. 257.—C. 19 Sexto v. 2.—MSS. Bib. Nat., fonds latin, No. 11847.—Collect. Doat, XXXV. 68.—Molinier, L'Inq. dans le midi de la France, p. 103.—Vaissette, Éd. Privat, X. Pr. 370 sqq.

which in its inherent nature scarce admitted of reform. Yet Alphonse, with all his greed, was not unwilling to share the plunder with those who secured it for him, and several of his not wholly disinterested liberalities of this kind are on record. In 1268 we have a letter of his assigning to the Inquisition a revenue of one hundred livres per annum on the confiscated estate of a heretic; and in 1270 another, confirming the foundation of a chapel from a similar source.*

Nothing could exceed the minute thoroughness with which every fragment of a confiscated estate was followed up and seized. The account of the collections of confiscated property from 1302 to 1313 by the *procureurs des encours* of Carcassone is extant in MS., and shows how carefully the debts due to the condemned were looked after, even to a few pence for a measure of corn. In the case of one wealthy prisoner, Guillem de Fenasse, the estate was not wound up for eight or ten years, and the whole number of debts collected foots up to eight hundred and fifty-nine, in amounts ranging from five deniers upward. As the collectors never credit themselves with amounts paid in discharge of debts due by these estates, it is evident that the rule that a heretic could give no valid obligations was strictly construed and that creditors were shamelessly cheated. In this seizure of debts the nobles asserted a right to claim any sums due by debtors who were their vassals, but Philippe de Valois, in 1329, decided that when the debts were payable at the domicile of the heretic they inured to the royal fisc, irrespective of the allegiance of the debtor. Another illustration of the remorseless greed which seized everything is found in a suit decided by the Parlement of Paris in 1302. On the death of the Chevalier Guillem Prunèle and his wife Isabelle, the guardianship of their orphans would legally vest in the next of kin, the Chevalier Bernard de Montesquieu, but he had been burned some years before for heresy, and his estate, of course, confiscated. The Seneschal of Carcassonne insisted that the guardianship which thus subsequently fell in formed part of the assets of the estate, and he accordingly assumed it, but a nephew, an Esquire Bernard de

* Boutaric, Saint Louis et Alphonse de Poitiers, Paris, 1870, pp. 455-6.—Douais, Les sources de l'histoire de Inquisition (Revue des Questions Historiques, Oct. 1881, p. 436).—Coll. Doat, XXXII. 51, 64.

Montesquieu, contested the matter and finally obtained a decision in his favor.*

Equal care was exercised in recovering alienated property. As, in obedience to the Roman law of *majestas*, forfeiture occurred *ipso facto* as soon as the crime of heresy was committed, the heretic could convey no legal title, and any assignments which he might have made were void, no matter through how many hands the property might have passed. The holder was forced to surrender it, nor could he demand restitution of what he had paid, unless the money or other consideration were found among the goods of the heretic. The eagerness with which, in such cases, the rigor of the law was enforced may be estimated from one occurring in 1272. Charles of Anjou had written from Naples to his viguier and sous-viguier at Marseilles telling them that a certain Maria Roberta, before condemnation to prison for heresy, had sold a house which was subject to confiscation; this he ordered them to seize, to sell by auction, and to report the proceeds; but they neglected to do so. The viguiers were changed, and now the unforgetful Charles writes to the new officials, repeating his orders and holding them personally responsible for obedience. At the same time he writes to his seneschal with instructions to look after the matter, as it lies very near to his heart.†

The cruelty of the process of confiscation was enhanced by the pitiless methods employed. As soon as a man was arrested for suspicion of heresy his property was sequestrated and seized by the officials, to be returned to him in the rare cases in which his guilt might be declared not proven. This rule was enforced in the most rigorous manner, every article of his household gear and provisions being inventoried, as well as his real estate.‡ Thus, whether innocent or guilty, his family were turned out-of-doors to starve or to depend upon the precarious charity of others—a charity

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* Archives de l'Évêché d'Albi (Doat, XXXIII. 207–72).—Coll. Doat, XXXV. 93.—Les Olim, II. 111.

† Bernardi Comens. Lucerna Inquis. s. v. *Bona hæreticor.*—Archidiac. Gloss. sup. c. 19 Sexto v. 2.—Archivio di Napoli, Regist. 15, Lett. C, fol. 77, 78.

The English law of felony was also retroactive, and all alienations subsequent to the commission of the crime were void (Bracton, Lib. III. Tract. ii. cap. 13, No. 8).

‡ Coll. Doat, XXXII. 309, 316.

chilled by the fact that any manifestation of sympathy was dangerous. It would be difficult to estimate the amount of human misery arising from this source alone.

In this chaos of plunder we may readily imagine that those who were engaged in such work were not over-nice as to securing a share of the spoliations. In 1304 Jacques de Polignac, who had been for twenty years keeper of the inquisitorial jail at Carcassonne, and several of the officials employed on the confiscations, were found to have converted and detained a large amount of valuable property, including a castle, several farms and other lands, vineyards, orchards, and movables, all of which they were compelled to disgorge and to suffer punishment at the king's pleasure.*

It is pleasant to turn from this cruel greed to a case which excited much interest in Flanders at a time when in that region the Inquisition had become so nearly dormant that the usages of confiscation were almost forgotten. The Bishop of Tournay and the Vicar of the Inquisition condemned at Lille a number of heretics, who were duly burned. They confiscated the property, claiming the movables for the Church and the inquisitor, and the realty for the fisc. The magistrates of Lille boldly interposed, declaring that among the liberties of their town was the privilege that no burgher could forfeit both body and goods; and, acting for the children of one of the victims, they took out *apostoli* and appealed to the pope. The counsellors of the suzerain, Philippe le Bon of Burgundy, with a clearer perception of the law, claimed that the whole confiscations inured to him, while the ecclesiastics declared the rule to be invariable that the personalty went to the Church and only the real estate to the fisc. The triangular quarrel threatened long and costly litigation, and finally all parties agreed to leave the decision to the duke himself. With rare wisdom, in 1430, he settled the matter, with general consent, by deciding that the sentence of confiscation should be treated as not rendered, and the property be left to the heirs, at the same time expressly declaring that the rights of Church, Inquisition, city, and state, were reserved without prejudice, in any case that might arise in future, which was, he said, not likely to occur. He did not manifest the same disinterestedness in 1460, however, in the terrible persecution

* Les Olim, II. 147.—Doat, XXVI. 253.

of the sorcerers of Arras, when the movables were confiscated to the episcopal treasury, and he seized the landed property in spite of the privileges alleged by the city.*

In addition to the misery inflicted by these wholesale confiscations on the thousands of innocent and helpless women and children thus stripped of everything, it would be almost impossible to exaggerate the evil which they entailed upon all classes in the business of daily life. All safeguards were withdrawn from every transaction. No creditor or purchaser could be sure of the orthodoxy of him with whom he was dealing; and, even more than the principle that ownership was forfeited as soon as heresy had been committed by the living, the practice of proceeding against the memory of the dead after an interval virtually unlimited, rendered it impossible for any man to feel secure in the possession of property, whether it had descended in his family for generations, or had been acquired within an ordinary lifetime.

The prescription of time against the Church had to be at least forty years—against the Roman Church, a hundred, and this prescription ran, not from the commission of the crime, but from its detection. Though some legists held that proceedings against the deceased had to be commenced within five years after death, others asserted that there was no limit, and the practice of the Inquisition shows that the latter opinion was followed. The prescription of forty years' possession by good Catholics was further limited by the conditions that they must at no time have had a knowledge that the former owner was a heretic, and, moreover, he must have died with an unsullied reputation for orthodoxy—both points which might cast a grave doubt on titles.†

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* Archives Générales de Belgique, Papiers d'État, v. 405.—Mémoires de Jacques du Clercq, Liv. IV. ch. 4, 14.

In Arras a charter of 1335, confirmed by Charles V. in 1369, protected the burghers from confiscation when condemned for crime by any competent tribunal.—Duverger, La Vaudérie dans les États de Philippe le Bon, Arras, 1885, p. 60.

† C. 6, 8, 9, 14, Sexto XII. 26.—Bernardi Comensis Lucerna Inquis. s. v. *Bona hæreticorum.*—Eymeric. Direct. Inquis. pp. 570-2.—Zanchini Tract. de Hæret. c. XXIV.—J. F. Ponzinib. de Lamiis c. 76.

Severe as was the contemporary English law against felony, it had at least

Prosecution of the dead, as we have seen, was a mockery in which virtually defence was impossible and confiscation inevitable. How unexpectedly the blow might fall is seen in the case of Gherardo of Florence. He was rich and powerful, a member of one of the noblest and oldest houses, and was consul of the city in 1218. Secretly a heretic, he was hereticated on his death-bed between 1246 and 1250, but the matter lay dormant until 1313, when Frà Grimaldo, the Inquisitor of Florence, brought a successful prosecution against his memory. In the condemnation were included his children Ugolino, Cante, Nerlo, and Bertuccio, and his grandchildren, Goccia, Coppo, Frà Giovanni, Gherardo, prior of S. Quirico, Goccino, Baldino, and Marco—not that they were heretics, but that they were disinherited and subjected to the disabilities of descendants of heretics. When such proceedings were hailed as pre-eminent exhibitions of holy zeal, no man could feel secure in his possessions, whether derived from descent or purchase.*

An instance of a different character, but equally illustrative, is furnished by the case of Géraud de Puy-Germer. His father had been condemned for heresy in the times of Raymond VII. of Toulouse, who generously restored the confiscated estates. Yet, twenty years after the death of the count, in 1268, the zealous agents of Alphonse seized them as still liable to forfeiture. Géraud there-

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this concession to justice, that a felon had to be convicted in his lifetime; his death before conviction thus prevented confiscation (Bmeton, Lib. III. Tract. ii. cap. 13, No. 17).

* Lami, Antichità Toscane, pp. 497, 536-7.—It is true that when, in 1335, Henri de Chamay, Inquisitor of Carcassonne, sent to the papal court the depositions against the memory of eighteen persons accused of heretical acts committed between 1284 and 1290, and asked for instructions, the decision was that no reliance was to be placed on the testimony of witnesses who mostly contradicted themselves, and who only swore to what they had heard long before. Three previous investigations against the same persons had been held without reaching a conclusion, and the papal advisers assumed that there had been good reasons for dropping the matter.—Vaissette, Éd. Privat, IX. 401.

How the system worked is seen in the complaint made in 1247 to St. Louis, by Guillem Pierre de Vintrou, that the royal seneschal of Carcassonne had seized his property derived through his mother, because his grandfather, seventeen years after death, had been accused of heresy. St. Louis thereupon ordered an examination and report.—Vaissette, Éd. Privat, VIII. 1196.

upon appealed to Alphonse, who ordered an investigation, but with what result does not appear.*

Not only were all alienations made by heretics set aside and the property wrested from the purchasers, but all debts contracted by them, and all hypothecations and liens given to secure loans, were void. Thus doubt was cast upon every obligation that a man could enter into. Even when St. Louis softened the rigor of confiscation in Languedoc, the utmost concession he would make was that creditors should be paid for debts contracted by culprits before they became heretics, while all claims arising subsequently to an act of heresy were rejected. As no man could be certain of the orthodoxy of another, it will be evident how much distrust must have been thrown upon every bargain and every sale in the commonest transactions of life. The blighting influence of this upon the development of commerce and industry can readily be perceived, coming as it did at a time when the commercial and industrial movement of Europe was beginning to usher in the dawn of modern culture. It was not merely the spiritual striving of the thirteenth century that was repressed by the Inquisition; the progress of material improvement was seriously retarded. It was this, among other incidents of persecution, which arrested the promising civilization of the south of France and transferred to England and the Netherlands, where the Inquisition was comparatively unknown, the predominance in commerce and industry which brought freedom and wealth and power and progress in its train.†

The quick-witted Italian commonwealths, then rising into mercantile importance, were keen to recognize the disabilities thus inflicted upon them. In Florence a remedy was sought by requiring the seller of real estate always to give security against possible future sentences of confiscation by the Inquisition—the security in general being that of a third party, although there must have been no little difficulty in obtaining it, and though it might likewise be invalidated at any moment by the same cause.

* Vaissette, Éd. Privat, VIII. 1641.

† Zanchini Tract. de Hæret. c. xxvii.—Isambert, Anc. Loix Françaises, I. 257. Yet there is a case in 1269 in which a creditor of two condemned heretics applies to Alphonse of Poitiers to be paid out of the confiscations, and Alphonse orders an inquiry into the circumstances.—Vaissette, Éd. Privat, VIII. 1682.

Even in contracts for personalty, security was also often demanded and given. This was, at least, only replacing one evil by another of scarcely less magnitude, and the trouble grew so intolerable that a remedy was sought for one of its worst features. The republic solemnly represented to Martin IV. the scandals which had occurred and the yet greater ones threatened, in consequence of the confiscation of the real estate of heretics in the hands of *bona-fide* purchasers, and by a special bull of Nov. 22, 1283, the pontiff graciously ordered the Florentine inquisitors in future not to seize such property.*

The princes who enjoyed the results of confiscations recognized that they carried with them the correlative duty of defraying the expenses of the Inquisition; indeed, self-interest alone would have prompted them to maintain in a state of the highest efficiency an instrumentality so profitable. Theoretically, it could not be denied that the bishops were liable for these expenses, and at first the inquisitors of Languedoc sought to obtain funds from them, suggesting that at least pecuniary penances inflicted for pious uses should be devoted to paying their notaries and clerks. This was fruitless, for, as Gui Foucoix (Clement IV.) remarks, their hands were tenacious and their purses constipated, and as it was useless to look to them for resources, he advises that the pecuniary penances be used for the purpose, providing it be done decently and without scandalizing the people. Throughout central and northern Italy, as we have seen, the fines and confiscations rendered the Inquisition fully self-supporting, and the inquisitors were eager to make business out of which they could reap a pecuniary harvest. In Venice the State defrayed all expenses and took all profits. In Naples the same policy was at first pursued by the Angevine monarchs, who took the confiscations and, in addition to maintaining prisoners, paid to each inquisitor one augustale (one quarter ounce of gold) per diem for the expenses of himself and his associate, his notary, and three familiars, with their horses. These stipends were assigned upon the Naples customs on iron, pitch, and salt; the orders for their payment ran usually for six

* Lami, Antichità Toscane, p. 593. — Archivio di Firenze, Riformagioni, Classe v. No. 110.

months at a time and had to be renewed; there was considerable delay in the settlements, and the inquisitors had substantial cause of complaint, although the officials were threatened with fines for lack of promptness. In 1272, however, I find a letter issued to the inquisitor, Frà Matteo di Castellamare, providing him with a year's salary, payable six months in advance. When, as mentioned above, Charles II., in 1290, divided the proceeds according to the papal prescription, he liberally continued to contribute to the expenses, though on a somewhat reduced scale. In letters of May 16, 1294, he orders the payment to Frà Bartolomeo di Aquila of four tareni per diem (the tareno was one thirtieth of an ounce of gold), and July 7 of the same year he provides that five ounces per month be paid to him for the expenses of his official family.*

In France there was at first some question as to the responsibility for the charges attendant upon persecution. The duty of the bishops to suppress heresy was so plain that they could not refuse to meet the expenses, at least in part. Before the establishment of the Inquisition this consisted almost wholly in the maintenance of imprisoned converts, and at the Council of Toulouse they agreed to defray this in the case of those who had no money, while those who had property to be confiscated they claimed should be supported by the princes who obtained it. This proposition, like the subsequent one of the Council of Albi, in 1254, was altogether too cumbrous to work. The statutes of Raymond, in 1234, while dwelling elaborately on the subject of confiscation, made no provision for meeting the cost of the new Inquisition, and the matter remained unsettled. In 1237 we find Gregory IX. complaining that the royal officials contributed nothing for the support of the prisoners whose property they had confiscated. When, in 1246, the Council of Béziers was assembled, the Cardinal Legate of Albano reminded the bishops that it was their business to provide for it, according to the instructions of the Council of Montpellier, whose proceedings have not reached us. The good bishops were not disposed to do this. As we have seen, they

* MSS. Bib. Nat., fonds latin, No. 14930, fol. 228.—Guid. Fulcod. Quæst. III. —Archivio di Napoli, Regist. 6, Lett. B, fol. 35; Reg. 10, Lett. B, fol. 6, 7, 96; Reg. 11, Lett. C, fol. 40; Reg. 13, Lett. A, fol. 212; Reg. 51, Lett. A, fol. 9; Reg. 71, Lett. M, fol. 382, 385, 440; Reg. 98, Lett. B, fol. 13; Reg. 113, Lett. A, fol. 194; Reg. 253, Lett. A, fol. 63; MSS. Chioccorello, T. VIII.

claimed that prisons should be built at the expense of the recipients of the confiscations, and suggested that the fines should be used for their maintenance and for that of the inquisitors. The piety of St. Louis, however, would not see the good work halt for lack of the necessary means; with a more worldly prince we might assume that he recognized the money spent on inquisitors as profitably invested. In 1248 we find him defraying their expenses in all the domains of the crown, and we have shown above how he assumed the cost of prisons and prisoners; in addition to which, in 1246, he ordered his Seneschal of Carcassonne to pay out of the confiscations ten sols per diem to the inquisitors for their expenses. It may fairly be presumed that Count Raymond contributed with a grudging hand to the support of an institution which he had opposed so long as he dared; but when he was succeeded, in 1249, by Jeanne and Alphonse of Poitiers, the latter politic and avaricious prince saw his account in stimulating the zeal of those to whom he owed his harvest of confiscations. Not only did he defray the cost of the fixed tribunals, but his seneschals had orders to pay the expenses of the inquisitors and their familiars in their movements throughout his territories. He paid close attention to detail. In 1268 we find Guillem de Montreuil, Inquisitor of Toulouse, reporting to him the engagement of a notary at six deniers per diem and of a servitor at four, and Alphonse graciously ordering the payment of their wages. Charles of Anjou, who was equally greedy, found time amid his Italian distractions to see that his Seneschal of Provence and Forcalquier kept the Inquisition supplied on the same basis as did the king in the royal dominions.*

Large as were the returns to the fisc from the industry of the Inquisition, the inquisitors were sometimes disposed to presume upon their usefulness, and to spend money with a freedom which

* Concil. Tolosan. ann. 1229 c. 9. — Concil. Albiens. ann. 1254 c. 24. — Harduin. VII. 415. — Archives de L'Évêché de Béziers (Doat, XXXI. 35). — Concil. Biterrens. ann. 1246 c. 22. — D. Bouquet, T. XXI. pp. 262, 264, 266, 278, etc. — Vaissette, Éd. Privat, VIII. 1206, 1573. — Archives de l'Inq. de Carcassonne (Doat, XXXI. 250). — Archivio di Napoli, Regist. 20, Lett. B, fol. 91.

The care with which Alphonse looked after the proceeds of the confiscations is seen in his demand for an account from his seneschal, Jacques du Bois, March 25, 1268 (Vaissette, Éd. Privat, VIII. 1274).

seemed unnecessary to those who paid the bills. Even in the fresh zeal of 1242 and 1244, before the princes had made provision for the Holy Office, and while the bishops were yet zealously maintaining their claims to the fines, the luxury and extravagance of the inquisitors called down upon them the reproof of their own Order as expressed in the Dominican provincial chapters of Montpellier and Avignon. It would be, of course, unjust to cast such reproach upon all inquisitors, but no doubt many deserved it, and we have seen that there were numerous ways in which they could supply their wants, legitimate or otherwise. It might, indeed, be a curious question to determine the source whence Bernard de Caux, who presided over the tribunal of Toulouse until his death, in 1252, and who, as a Dominican, could have owned no property, obtained the means which enabled him to be a great benefactor to the convent of Agen, founded in 1249. Even Alphonse of Poitiers sometimes grew tired of ministering to the wishes of those who served him so well. In a confidential letter of 1268 he complains of the vast expenditures of Pons de Poyet and Étienne de Gâtine, the inquisitors of Toulouse, and instructs his agent to try to persuade them to remove to Lavaur, where less extravagance might be hoped for. He offered to put at their disposal the castle of Lavaur, or any other that might be fit to serve as a prison; and at the same time he craftily wrote to them direct, explaining that, in order to enable them to extend their operations, he would place an enormous castle in their bands.*

Some very curious details as to the expenses of the Inquisition, thus defrayed from the confiscations, from St. John's day, 1322, to 1323, are afforded by the accounts of Arnaud Assalit, *procureur des encours* of Carcassonne and Béziers, which have fortunately been preserved. From the sums thus coming into his hands the *procureur* met the outlays of the Inquisition to the minutest item —the cost of maintaining prisoners, the hunting up of witnesses, the tracking of fugitives, and the charges for an *auto de fé*, including the banquets for the assembly of experts and the saffron-colored cloth for the crosses of the penitents. We learn from this

* Molinier, L'Inquisition dans le midi de la France, p. 308. — Bern. Guidon. Fundat. Convent. Prædicat. (Martene Thesaur. VI. 481).—Boutaric, Saint Louis et Alphonse de Poitiers, pp. 456–7.

that the wages of the inquisitor himself were one hundred and fifty livres per annum, and also that they were very irregularly paid. Frère Otbert had been appointed in Lent, 1316, and thus far had received nothing of his stipend, but now, in consequence of a special letter from King Charles le Bel, the whole accumulation for six years, amounting to nine hundred livres, is paid in a lump. Although by this time persecution was slackening for lack of material, the confiscations were still quite profitable. Assalit charges himself with two thousand two hundred and nineteen livres seven sols ten deniers collected during the year, while his outlays, including heavy legal expenses and the extraordinary payment to Frère Otbert, amounted to one thousand one hundred and sixty-eight livres eleven sols four deniers, leaving about one thousand and fifty livres of profit to the crown.*

Persecution, as a steady and continuous policy, rested, after all, upon confiscation. It was this which supplied the fuel to keep up the fires of zeal, and when it was lacking the business of defending the faith languished lamentably. When Catharism disappeared under the brilliant aggressiveness of Bernard Gui, the culminating point of the Inquisition was passed, and thenceforth it steadily declined, although still there were occasional confiscated estates over which king, prelate, and noble quarrelled for some years to come. The Spirituals, Dulcinists, and Fraticelli were Mendicants, who held property to be an abomination; the Waldenses were poor folk—mountain shepherds and lowland peasants—and the only prizes were an occasional sorcerer or usurer. Still, as late as 1337 the office of bailli of the confiscations for heresy in Toulouse was sufficiently lucrative to be worth purchasing under the prevailing custom of selling all such positions, and the collections for the preceding fiscal year amounted to six hundred and forty livres six sols.†

The intimate connection between the activity of persecuting zeal and the material results to be derived from it is well illus-

* Coll. Doat, XXXIV. 189.—In 1317 the result had been much less. We have the receipt of the royal treasurer of Carcassonne, Lothaire Blanc, to Arnaud Assalit, dated Sept. 24, 1317, for collections during the year ending the previous St. John's day, amounting to four hundred and ninety-five livres six sols eleven deniers, being the balance after deducting wages and expenses (Doat, XXXIV. 141).

† Doat, XXXV. 79, 100.—Vaissette, Éd. Privat, X. Pr. 705, 777, 783.

trated in the failure of the first attempt to extend the Inquisition into Franche Comté. John, Count of Burgundy, in 1248, represented to Innocent IV. the alarming spread of Waldensianism throughout the province of Besançon and begged for its repression. Apparently the zeal of Count John did not lead him to pay for the purgation of his dominions, and the plunder to be gained was inconsiderable, for, in 1255, Alexander IV. granted the petition of the friars to be relieved from the duty, in which they averred that they had exhausted themselves fruitlessly for lack of money. The same lesson is taught by the want of success which attended all attempts to establish the Inquisition in Portugal. When, in 1376, Gregory XI. ordered the Bishop of Lisbon to appoint a Franciscan inquisitor for the kingdom, recognizing apparently that there would be small receipts from confiscations, he provided that the incumbent should be paid a salary of two hundred gold florins per annum, assessed upon the various sees in the proportion of their forced contributions to the papal camera. The resistance of inertia, which rendered this command resultless, doubtless arose from the objection of the prelates to being thus taxed; and the same may be said of the effort of Boniface IX., when he appointed Fray Vicente de Lisboa as Inquisitor of Spain and ordered his expenses defrayed by the bishops.*

Perhaps the most unscrupulous attempt to provide for the maintenance of the Inquisition was that made by the Emperor Charles IV. when, in 1369, he endeavored to establish it in Germany on a permanent basis. Heretics were neither numerous nor rich, and little could be gained from their confiscations to sustain the zeal of Kerlinger and his brethren; and we shall see hereafter how the houses of the orthodox and inoffensive Beghards and Beguines were summarily confiscated in order to provide domiciles and prisons for the inquisitors, while the cities were invited to share in the spoils in order to enlist popular support for the odious measure; we shall see also how it failed in consequence of the steady repugnance of prelates and people for the Holy Office.†

Eymerich, writing in Aragon, about 1375, says that the source

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* Potthast No. 13000, 15995.—Monteiro, Historia da Santo Inquisição, P. I. Lib. II. c. 34, 35.

† Mosheim de Beghardis pp. 356–63.

whence the expenses of the Inquisition should be met is a question which has been long debated and never settled. The most popular view among churchmen was that the burden should fall on the temporal princes, since they obtained the confiscations and should accept the charge with the benefit; but in these times, he sorrowfully adds, there are few obstinate heretics, fewer still relapsed, and scarce any rich ones, so that, as there is little to be gained, the princes are not willing to defray the expenses. Some other means ought to be found, but of all the devices which have been proposed each has its insuperable objection; and he concludes by regretting that an institution so wholesome and so necessary to Christendom should be so badly provided. *

It was probably while Eymerich was saddened with these unpalatable truths that the question was raising itself in the most practical shape elsewhere. As late as 1337 in the accounts of the Sénéchaussée of Toulouse there are expenditures for an *auto de fé* and for repairs to the buildings and prison of the Inquisition, the salaries of the inquisitor and his officials, and the maintenance of prisoners, but the confusion and bankruptcy entailed by the English war doubtless soon afterwards caused this duty to be neglected. In 1375 Gregory XI. persuaded King Frederic of Sicily to allow the confiscations to inure to the benefit of the Inquisition, so that funds might not be lacking for the prosecution of the good work. At the same time he made a vigorous effort to exterminate the Waldenses who were multiplying in Dauphiné. There were prisons to be built and crowds of prisoners to be supported, and he directed that the expenses should be defrayed by the prelates whose negligence had given opportunity for the growth of heresy. Although he ordered this to be enforced by excommunication, it would seem that the constipated purses of the bishops could not be relaxed, for soon after we find the inquisitor laying claim to a share in the confiscations, on the reasonable ground of his having no other source whence to defray the necessary expenses of his tribunal. The royal officials insisted on keeping the whole, and a lively contest arose, which was referred to King Charles le Sage. The monarch dutifully conferred with the Holy See, and, in 1378, issued an *Ordonnance* retaining the whole of the confiscations and

* Eymeric. Direct. Inquis. pp. 652–3.

assigning to the inquisitor a yearly stipend—the same as that paid to the tribunals of Toulouse and Carcassonne—of one hundred and ninety livres Tournois, out of which all the expenses of the Inquisition were to be met; with a proviso that if the allowance was not regularly paid then the inquisitor should be at liberty to detain a portion of the forfeitures. No doubt this agreement was observed for a time, but it lapsed in the terrible disorders which ensued on the insanity of Charles VI. In 1409 Alexander V. left to his legate to decide whether the Inquisitor of Dauphiné should receive three hundred gold florins a year, to be levied on the Jews of Avignon, or ten florins a year from each of the bishops of his extensive district, or whether the bishops should be compelled to support him and his officials in his journeys through the country. These precarious resources disappeared in the confusion of the civil wars and invasion which so nearly wrecked the monarchy. In 1432, when Frère Pierre Fabri, Inquisitor of Embrun, was summoned to attend the Council of Basle, he excused himself on account of his preoccupation with the stubborn Waldenses, and also on the ground of his indescribable poverty, "for never have I had a penny from the Church of God, nor have I a stipend from any other source."*

Of course it would be unjust to say that greed and thirst for plunder were the impelling motives of the Inquisition, though, when complaints were made that the fisc was defrauded of its dues by the immunity promised to those who would come in and confess during the time of grace, and when Bernard Gui met this objection by pointing out that these penitents were obliged to betray their associates, and thus, in the long run, the fisc was the gainer, we see how largely the minds of those who urged on persecution were occupied by its profits.† We therefore are perfectly safe in asserting that but for the gains to be made out of fines and confiscations its work would have been much less thorough, and that it would have sunk into comparative insignifi-

* Vaissette, Éd. Privat, X. Pr. 791–2, 802.—Raynald. ann. 1375, No. 26.—Wadding. ann. 1375, No. 21, 22; 1409, No. 13.—Isambert, Anc. Loix Françaises, V. 491.—Martene Ampl. Collect. VIII. 161–3.

† Bernard. Guidon. Practica P. IV. (Doat, XXX.).

cance as soon as the first frantic zeal of bigotry had exhausted itself. This zeal might have lasted for a generation, to be followed by a period of comparative inaction, until a fresh onslaught would have been excited by the recrudescence of heresy. Under a succession of such spasmodic attacks Catharism might perhaps have never been completely rooted out. By confiscation the heretics were forced to furnish the means for their own destruction. Avarice joined hands with fanaticism, and between them they supplied motive power for a hundred years of fierce, unremitting, unrelenting persecution, which in the end accomplished its main purpose.

CHAPTER XIV.

THE STAKE.

Like confiscation, the death-penalty was a matter with which the Inquisition had theoretically no concern. It exhausted every effort to bring the heretic back to the bosom of the Church. If he proved obdurate, or if his conversion was evidently feigned, it could do no more. As a non-Catholic, he was no longer amenable to the spiritual jurisdiction of a Church which he did not recognize, and all that it could do was to declare him a heretic and withdraw its protection. In the earlier periods the sentence thus is simply a condemnation as a heretic, accompanied by excommunication, or it merely states that the offender is no longer considered as subject to the jurisdiction of the Church. Sometimes there is the addition that he is abandoned to secular judgment—"relaxed," according to the terrible euphemism which assumed that he was simply discharged from custody. When the formulas had become more perfected there is frequently the explanatory remark that the Church has nothing left to do to him for his demerits; and the relinquishment to the secular arm is accompanied with the significant addition "*debita animadversione puniendum*"—that he is to be duly punished by it. The adjuration that this punishment, in accordance with the canonical sanctions, shall not imperil life or limb, or shall not cause death or effusion of blood, does not appear in the earlier sentences, and was not universal even at a later period.*

That this appeal for mercy was the merest form is admitted by Pegna, who explains that it was used only that the inquisitors might seem not to consent to the effusion of blood, and thus avoid

* Coll. Doat, XXI. 143.—MSS. Bib. Nat., fonds latin, No. 9992.—Doctrina de modo procedendi (Martene Thesaur. V. 1807).—Lami, Antichità Toscane, pp. 557, 559.—Lib. Sententt. Inq. Tolosan. pp. 2, 4, 36, 208, 254, 265, 289, 380.—Eymeric. Direct. Inquis. pp. 510–12.

incurring "irregularity." The Church took good care that the nature of the request should not be misapprehended. It taught that in such cases all mercy was misplaced unless the heretic became a convert, and proved his sincerity by denouncing all his fellows. The remorseless logic of St. Thomas Aquinas rendered it self-evident that the secular power could not escape the duty of putting the heretic to death, and that it was only the exceeding kindness of the Church that led it to give the criminal two warnings before handing him over to meet his fate. The inquisitors themselves had no scruples on the subject, and condescended to no subterfuges respecting it, but always held that their condemnation of a heretic was a sentence of death. They showed this in averting the pollution of a Church by not uttering these sentences within the sacred precincts, this portion of the ceremony of an *auto de fé* being performed in the public square. One of their teachers in the thirteenth century, copied by Bernard Gui in the fourteenth, argues: "The object of the Inquisition is the destruction of heresy. Heresy cannot be destroyed unless heretics are destroyed: heretics cannot be destroyed unless their defenders and fautors are destroyed, and this is effected in two ways, viz., when they are converted to the true Catholic faith, or when, on being abandoned to the secular arm, they are corporally burned." In the next century, Fray Alonso de Spina points out that they are not to be delivered up to extermination without warning once and again, unless, indeed, their growth threatens trouble to the Church, when they are to be extirpated without delay or examination. Under these teachings the secular powers naturally recognized that in burning heretics they were only obeying the commands of the Inquisition. In a commission issued by Philippe le Bon of Burgundy, November 9, 1431, ordering his officials to render obedience to Friar Kaleyser, recently appointed Inquisitor of Lille and Cambrai, among the duties enumerated is that of inflicting due punishment on heretics "as he shall decree, and as is customary." In the accounts of the royal *procureurs des encours*, the cost of these executions in Languedoc were charged against the proceeds of the confiscations as part of the expenses of the Inquisition, thus showing that they were not regarded as ordinary incidents of criminal justice, to be defrayed out of the ordinary revenues, but as peculiarly connected with and dependent upon the

operations of the Inquisition, of which the royal officials only acted as ministers. The Inquisitor Sprenger had no hesitation in alluding to the victims whom he caused to be burned — "*quas incinerari fecimus.*" In fact, how modern is the pretension that the Church was not responsible for the atrocity is apparent when, as late as the seventeenth century, the learned Cardinal Albizio, in controverting Frà Paolo as to the control of the Inquisition by the State in Venice, had no scruple in asserting that "the inquisitors in conducting the trials, regularly came to the sentence, and if it was one of death it was immediately and necessarily put into execution by the doge and the senate."*

We have already seen that the Church was responsible for the enactment of the ferocious laws punishing heresy with death, and that she intervened authoritatively to annul any secular statutes which should interfere with the prompt and effective application of the penalties. In the same way, as we have also seen, she provided against any negligence or laxity on the part of the magistrates in executing the sentences pronounced by the inquisitors. According to the universal belief of the period, this was her plainest and highest duty, and she did not shrink from it. Boniface VIII. only recorded the current practice when he embodied in the canon law the provision whereby the secular authorities were commanded to punish duly and promptly all who were handed over to them by the inquisitors, under pain of excommunication, which became heresy if endured for a twelvemonth, and the inquisitors were rigidly instructed to proceed against all magistrates who proved re-

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* Pegnæ Comment. xx. in Eymeric. p. 124.—Tract. de Paup. de Lugd. (Martene Thesaur. V. 1792).—S. Thom. Aquinat. Summ. Sec. Sec. Q. xi. Art. 3.—Eymeric. Direct. Inquis. pp. 510–12.—Tract. de Inquisit. (Doat, XXX.).—Bern. Guidon. Practica P. iv. (Doat, XXX.).—A. de Spina Fortalic. Fidei Ed. 1494 fol. 76*a*.—MSS. Bib. Nat., fonds Moreau, No. 444, fol. 10. Cf. Archiv. di Napoli, Reg. 6, Lett. D, fol. 39; Reg. 13, Lett. A, fol. 139.—Coll. Doat, XXXIV. 189.—Malleus Maleficarum P. ii. Q. i. c. 2.—Albizio, Risposto al P. Paolo Sarpi, p. 30.

Gregory IX. had no scruple in asserting the duty of the Church to shed the blood of heretics. In a brief of 1234 to the Archbishop of Sens he says, "*nec enim decuit Apostolicam Sedem in oculis suis, cum Madianita coeunte Judea, manum suam a sanguine prohibere, ne si secus ageret non custodire populum Israel. . . . videretur.*"—Ripoll I. 66.

Friar Heinrich Kaleyser was a celebrated doctor of theology, and was subsequently Inquisitor of Cologne (Nider. Formicar. v. viii.).

calcitrant, while they were at the same time cautioned only to speak of executing the laws without specifically mentioning the penalty, in order to avoid falling into "irregularity," though the only punishment recognized by the Church as sufficient for heresy was burning alive. Even if the ruler was excommunicated and incapable of legally performing any other function, he was not relieved from the obligation of this supreme duty, with which nothing was allowed to interfere. Indeed, authorities were found to argue that if an inquisitor were obliged to execute the sentence himself he would not thereby incur irregularity.*

We are not to imagine, however, from these reduplicated commands that the secular power, as a rule, showed itself in the slightest degree disinclined to perform the duty. The teachings of the Church had made too profound an impression for any doubt in the premises to exist. As has been seen above, the laws of all the states of Europe prescribed concremation as the appropriate penalty for heresy, and even the free commonwealths of Italy recognized the Inquisition as the judge whose sentences were to be blindly executed. Raymond of Toulouse himself, in the fit of piety which preceded his death in 1249, caused eighty believers in heresy to be burned at Berlaiges, near Agen, after they had confessed in his presence, apparently without giving them the opportunity of recanting. From the contemporary sentences of Bernard de Caux, it is probable that, had these unfortunates been tried before that ardent champion of the faith, not one of them would have been condemned to the stake as impenitent. Quite as significant was the suit brought by the Maréchal de Mirepoix against the Seneschal of Carcassonne, because the latter had invaded his right to burn for himself all his subjects condemned as heretics by the Inquisition. In 1269 the Parlement of Paris decided the case in his favor, after which, on March 18, 1270, the seneschal acceded to his demand that the bones of seven men and three women of his ter-

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* C. 18 Sexto v. 2.—Concil. Albicns. ann. 1254 c. 22.—Eymeric. Direct. Inq. pp. 372, 562.—Pegnæ Comment. in Eymeric. p. 564.—Guid. Fulcod. Quæst. x.—Alex. PP. IV. Bull. *Ad audientiam*, 1260 (Eymeric. Append. p. 34).—Bern. Guidon. Practica P. iv. (Doat, XXX.).—Alex. PP. IV. Bull. *Quæsivisti*, 1260 (Ripoll I. 398).—Wadding. Annal. ann. 1288, No. 20.—Zanchini Tract. de Hæret. c. xviii.—Fortalicii Fidei fol. 74*b*.—Bernardi Comens. Lucerna Inquisit. s. v. *Executio*, No. 1, 8.

ritories, recently burned at Carcassonne, should be solemnly surrendered to him in recognition of his right; or, if they could not be found and identified, then, as substitutes, ten canvas bags filled with straw—a ghastly symbolic ceremony which was actually performed two days later, and a formal notarial act executed in attestation of it. Yet, though the De Levis of Mirepoix rejoiced in the title of Maréchaux de la Foi, it is not to be assumed that this eagerness arose wholly from bloodthirsty fanaticism, for there was nothing to which the seigneur-justicier clung more jealously than to every detail of his jurisdiction. A similar dispute arose in 1309, when the Count of Foix claimed the right to burn the Catharan heresiarch, Jacques Autier, and a woman named Guillelma Cristola, condemned by Bernard Gui, because they were his subjects, but the royal officials maintained their master's privileges in the premises, and the suit thence arising was still pending in 1326. So at Narbonne, where there was a long-standing dispute between the archbishop and the viscount as to the jurisdiction, and where, in 1319, the former in conjunction with the inquisitor Jean de Beaune relaxed three heretics, he claimed for his court the right to burn them. The commune, as representing the viscount, resisted this, and the hideous quarrel was only settled by the representative of the king stepping in and performing the act. In so doing, however, he carefully specified that it was not to work prejudice to either party, while to the end the archbishop protested against the intrusion upon his rights.*

If, however, from any cause, the secular authorities were reluctant to execute the death-sentence, the Church had little ceremony in putting forth its powers to coerce obedience. When, for instance, the first resistance in Toulouse had been broken down and the Holy Office had been reinstated there, the inquisitors, in 1237, condemned six men and women as heretics; but the viguier and consuls refused to receive the convicts, to confiscate their property, and "to do with them what was customary to be done with heretics"—that is, to burn them alive. Thereupon the inquisitors, after counselling with the bishop, the Abbot du Mas, the Provost of St. Étienne, and the Prior of La Daurade, proceeded to

* Guill. Pod. Laur. cap. 48.—Les Olim, I. 317.—Vaissette, Éd. Privat, VIII. 1674; X. Pr. 484, 659.—Baluz. et Mansi, II. 257.

excommunicate solemnly the recalcitrant officials in the Cathedral of St. Étienne. In 1288 Nicholas IV. lamented the neglect and covert opposition with which in many places the secular authorities evaded the execution of the inquisitorial sentences, and directed that they should be punished with excommunication and deprivation of office and their communities be subjected to interdict. In 1458, at Strassburg, the Burgermeister, Hans Drachenfels, and his colleagues refused at first to burn the Hussite missionary Frederic Reiser and his servant Anna Weiler, but their resistance was overcome and they were finally forced to execute the sentence. Thirty years later, in 1486, the magistrates of Brescia objected to burning certain witches of both sexes condemned by the Inquisition, unless they should be permitted to examine the proceedings. This was held to be flat rebellion. Civil lawyers, it is true, had endeavored to prove that the secular authorities had a right to see the papers, but the inquisitors had succeeded in having this claim rejected. Innocent VIII. promptly declared the Venetian demands to be a scandal to the faith, and he ordered the excommunication of the magistrates if within six days they did not execute the convicts, any municipal statutes to the contrary being pronounced null and void—a decision which was held to give the secular courts six days in which to carry out the sentence of condemnation. A more stubborn contest arose in 1521, when the Inquisition endeavored to purge the dioceses of both Brescia and Bergamo of the witches who still infested them. The inquisitor and episcopal ordinaries proceeded against them vigorously, but the Signiory of Venice interposed and appealed to Leo X., who appointed his nuncio at Venice to revise the trials. The latter delegated his power to the Bishop of Justinopolis, who proceeded with the inquisitor and ordinaries to the Valcamonica of Brescia, where the so-called heretics were numerous, and condemned some of them to be relaxed to the secular arm. Still dissatisfied, the Venetian Senate ordered the Governor of Brescia not to execute the sentences or to permit them to be executed, or to pay the expenses of the proceedings, but to send the papers to Venice for revision, and to compel the Bishop of Justinopolis to appear before them, which he was obliged to do. This inflamed the papal indignation to the highest pitch. Leo X. warmly assured the inquisitor and the episcopal officials that they had full jurisdiction over the culprits, that their sentences were to

be executed without revision or examination, and that they must enforce these rights with the free use of ecclesiastical censures. The spirit of the age, however, was insubordinate, and Venice had always been peculiarly so in all matters connected with the Holy Office. We shall see hereafter how the Council of Ten undauntedly held its position and asserted the superiority of its jurisdiction in a manner previously unexampled.*

In view of this unvarying policy of the Church during the three centuries under consideration, and for a century and a half later, there is a typical instance of the manner in which history is written to order, in the quiet assertion of the latest Catholic historian of the Inquisition that "the Church took no part in the corporal punishment of heretics. Those who perished miserably were only chastised for their crimes, sentenced by judges invested with the royal jurisdiction. The record of the excesses committed by the heretics of Bulgaria, by the Gnostics and Manichæans, is historical, and capital punishment was only inflicted on criminals confessing to robbery, assassination, and violence. The Albigenses were treated with equal benignity; . . . the Catholic Church deplored all acts of vengeance, however great was the provocation given by the ferocity of those factious masses." So completely, in truth, was the Church convinced of its duty to see that all heretics were burned that, at the Council of Constance, the eighteenth article of heresy charged against John Huss was that, in his treatise *de Ecclesia*, he had taught that no heretic ought to be abandoned to secular judgment to be punished with death. In his defence even Huss admitted that a heretic who could not be mildly led from error ought to suffer bodily punishment; and when a passage was read from his book in which those who deliver an unconvicted heretic to the secular arm are compared to the Scribes and Pharisees who delivered Christ to Pilate, the assembly broke out into a storm of objurgation, during which even the sturdy reformer, Cardinal Pierre d'Ailly, was heard to exclaim,

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* Vaissette, III. 410.—Wadding. Annal. ann. 1288, No. xix.—Hoffmann, Geschichte der Inquisition, II. 391.—Bernardi Comens. Lucerna Inquisit. s. v. *Executio*, No. 6.—Innoc. PP. VIII. Bull. *Dilectus filius*, 1486 (Pegnæ App. ad Eymeric. p. 84).—Leo. PP. X. Bull. *Honestis*, 1521 (Mag. Bull. Rom. I. 617).—Albizio, Risposte al. P. Paolo Sarpi. pp. 64–70.

"Verily those who drew up the articles were most moderate, for his writings are much more atrocious." *

The continuous teachings of the Church led its best men to regard no act as more self-evidently just than the burning of the heretic, and no heresy less defensible than a demand for toleration. Even Chancellor Gerson himself could see nothing else to be done with those who pertinaciously adhered to error, even in matters not at present explicitly articles necessary to the faith.† The fact is, the Church not only defined the guilt and forced its punishment, but created the crime itself. As we shall see, under Nicholas IV. and Celestine V., the strict Franciscans were pre-eminently orthodox; but when John XXII. stigmatized as heretical the belief that Christ lived in absolute poverty, he transformed them into unpardonable criminals whom the temporal officials were bound to send to the stake, under pain of being themselves treated as heretics.

There was thus a universal consensus of opinion that there was nothing to do with a heretic but to burn him. The heretic as known to the laws, both secular and ecclesiastical, was he who not only admitted his heretical belief, but defended it and refused to recant. He was obstinate and impenitent; the Church could do nothing with him, and as soon as the secular lawgivers had provided for his guilt the awful punishment of the stake, there was no hesitation in handing him over to the temporal jurisdiction to endure it. All authorities unite in this, and the annals of the Inquisition can vainly be searched for an exception. Yet this was regarded by the inquisitor as a last resort. To say nothing of the saving of a soul, a convert who would betray his friends was more useful than a roasted corpse, and, as we have seen, no effort was spared to obtain recantation. Experience had shown that such zealots were often eager for martyrdom and desired to be speedily burned, and it was no part of the inquisitor's pleasure to gratify them. He was advised that this ardor frequently gave way under time and suffering, and therefore he was told to keep the obstinate and defiant heretic chained in a dungeon for six

* Rodrigo, Historia Verdadera de la Inquisition, Madrid, 1876, I. 176-77.—Von der Hardt, IV. 317-18.

† Von der Hardt, III, 50-1.

months or a year in utter solitude, save when a dozen theologians and legists should be let in upon him to labor for his conversion, or his wife and children be admitted to work upon his heart. It was not until all this had been tried and failed that he was to be relaxed. Even then the execution was postponed for a day to give further opportunity for recantation, which, we are told, rarely happened, for those who went thus far usually persevered to the end; but if his resolution gave way and he professed repentance, his conversion was presumed to be the work of fear rather than of grace, and he was to be strictly imprisoned for life. Even at the stake his offer to abjure ought not to be refused, though there was no absolute rule as to this, and there could be little hope of the genuineness of such conversion. Eymerich relates a case occurring at Barcelona when three heretics were burned, and one of them, a priest, after being scorched on one side, cried out that he would recant. He was removed and abjured, but fourteen years later was found to have persisted in heresy and to have infected many others, when he was despatched without more ado.*

The obstinate heretic who preferred martyrdom to apostasy was by no means the sole victim doomed to the stake. The secular lawgiver had provided this punishment for heresy, but had left to the Church its definition, and the definition was enlarged to serve as a gentle persuasive that should supplement all deficiencies in the inquisitorial process. Where testimony deemed sufficient existed, persistent denial only aggravated guilt, and the profession of orthodoxy was of no avail. If two witnesses swore to having seen a man "adore" a perfected heretic it was enough, and no declaration of readiness to subscribe to all the tenets of Rome availed him, without confession, abjuration, recantation, and acceptance of penance. Such a one was a heretic, to be pitilessly burned. It was the same with the contumacious who did not obey the summons to stand trial. Persistent refusal of the oath was likewise technical heresy, condemning the recalcitrant to the stake. Even when there was no proof, simple suspicion be-

* Concil. Arelatens. ann. 1234 c. 6.—Concil. Tarraconens. ann. 1242.—Concil. Biterrens. ann. 1246, Append. c. 17.—Bern. Guidon. Practica P. IV. (Doat, XXX.). —Eymeric. Direct. Inquis. pp. 514-16.—Anon. Passaviens. c. IX. (Mag. Bib. Pat. XIII. 308). — Zanchini Tract. de Hæret. c. XVIII. — Lib. Sententt. Inq. Tolosan. p. 6.

came heresy if the suspect failed to purge himself with conjurators and remained so for a year. In violent suspicion, refusal to abjure worked the same result in a twelvemonth. A retracted confession was similarly regarded. In short, the stake supplied all defects. It was the *ultima ratio*, and although not many cases have reached us in which executions actually occurred on these grounds, there is no doubt that such provisions were of the utmost utility in practice, and that the terror which they inspired extorted many a confession, true or false, from unwilling lips.*

There was another class of cases, however, which gave the inquisitors much trouble, and in which they were long in settling upon a definite and uniform course of procedure. The innumerable forced conversions wrought by the dungeon and stake filled the prisons and the land with those whose outward conformity left them at heart no less heretics than before. I have elsewhere spoken of the all-pervading police of the Holy Office and of the watchfulness exercised over the converts whose liberation at best was but a ticket-of-leave. That cases of relapse into heresy should be constant was therefore a matter of course. Even in the jails it was impossible to segregate all the prisoners, and complaints are frequent of these wolves in sheep's clothing who infected their more innocent fellow-captives. A man whose solemn conversion had once been proved fraudulent could never again be trusted. He was an incorrigible heretic whom the Church could no longer hope to win over. On him mercy was wasted, and the stake was the only resource. Yet it is creditable to the Inquisition that it was so long in reducing to practice this self-evident proposition.

As early as 1184 the Verona decree of Lucius III. provides that those who, after abjuration, relapse into the abjured heresy shall be delivered to the secular courts, without even the opportunity of being heard. The Ravenna edict of Frederic II., in 1232, prescribed death for all who, by relapse, showed that their conversion had been a pretext to escape the penalty of heresy. In 1244 the Council of Narbonne alludes to the great multitude of such cases, and, following Lucius III., orders them to be relaxed with-

* Concil. Narbonn. ann. 1244 c. 26.—Concil. Biterrens. ann. 1246, App. c. 9.—Eymeric. Direct. Inquis. pp. 376–77, 521–4. — MSS. Bib. Nat., fonds latin, No 9992.—Lib. Sententt. Inq. Tolos. pp. 379–80.—Zanchini Tract. de Hæret. c. xxiii.

out a hearing. Yet these stern mandates were not enforced. In 1233 we find Gregory IX. contenting himself with prescribing perpetual imprisonment for such cases, which he speaks of as being already numerous. In a single sentence of February 19, 1237, the inquisitors of Toulouse condemn seventeen relapsed heretics to perpetual imprisonment. Raymond de Pennaforte, at the Council of Tarragona, in 1242, alludes to the diversity of opinion on the subject, and pronounces in favor of imprisonment; and, in 1246, the Council of Béziers, in giving similar instructions, speaks of them as being in accordance with the apostolic mandates. Even this degree of severity was not always inflicted. In 1242 Pierre Cella only prescribes pilgrimages and crosses for such offenders, and, in a case occurring in Florence in 1245, Frà Ruggieri Calcagni lets off the culprit with a not extravagant fine.*

What to do with these multitudes of false converts was evidently a question which perplexed the Church no little, and, as usual, a solution, at least for the time, was found in leaving the matter to the discretion of the inquisitors. In answer to the inquiries of the Lombard Holy Office, the Cardinal of Albano, about 1245, tells the officials to make use of such penalties as they shall deem appropriate. In 1248 Bernard de Caux asked the same question of the Archbishop of Narbonne, and was told that, according to the "apostolic mandates," those who returned to the Church a second time, humbly and obediently, might be let off with perpetual imprisonment, while those who were disobedient should be abandoned to the secular arm. Under these instructions the practice varied, though it is pleasant to be able to say that, in the vast majority of cases, the inquisitors leaned to the side of mercy. Even the ardent zeal of Bernard de Caux allowed him to use his discretion gently. In his register of sentences, from 1246 to 1248, there are sixty cases of relapse, none of which are punished more severely than by imprisonment, and in some of them the confinement is not perpetual. The same lenity is observable

* Lucii PP. III. Epist. 171. — Hist. Diplom. Frid. II. T. IV. p. 300. — Concil. Narbonn. ann. 1244 c. 11. — Gregor. PP. IX. Bull. *Ad capiendas* (Vaissette, III. Pr. 364). — Epistt. Sæcul. XIII. No. 514 (Mon. Germ. Hist.). — Ripoll I. 55. — Concil. Tarraconens. ann. 1242. — Doctrina de modo procedendi (Martene Thesaur. V. 1800). — Concil. Biterrens. ann. 1246, App. c. 20. — Coll. Doat, XXI. 148, 292. — Lami, Antichità Toscane, p. 560.

in various sentences rendered during the next ten years, both by him and by other inquisitors. Yet, with one exception, the codes of instruction which date about this period assume that relapse is always to be visited with relaxation, and that the offender is to have no hearing in his defence. In the exceptional instance the compiler illustrates the uncertainty which existed by sometimes treating relapse as punishable with imprisonment and sometimes as entailing the stake. Relapse into usury, however, was let off with the lighter alternative. The fact is that in Languedoc, under the Treaty of Paris, as stated above, an oath of abjuration was administered every two years to all males over fourteen and all females over twelve, and any subsequent act of heresy was technically a relapse. This, perhaps, explains the indecision of the inquisitors of Toulouse. It was impossible to burn all such cases.*

Whatever be the cause, there evidently was considerable doubt in the minds of inquisitors as to the penalty of relapse, and it must be recorded to their credit that in this they were more merciful than the current public opinion of the age. Jean de Saint-Pierre, the colleague and successor of Bernard de Caux, followed his example in always condemning the relapsed to imprisonment, and when, after Bernard's death, in 1252, Frère Renaud de Chartres was adjoined to him, the same rule continued to be observed. Frère Renaud found, however, to his horror, that the secular judges disregarded the sentence and mercilessly burned the unhappy victims, and that this had been going on under his predecessors. The civil authorities defended their course by arguing that in no other way could the land be purged of heresy, which was acquiring new force under the mistaken lenity of the inquisitors. Frère Renaud felt that he could not overlook this cruelty in silence as his predecessors had done. He therefore reported the facts to Alphonse of Poitiers, and informed him that he proposed to refer the matter to the pope, pending whose answer he would keep

* Arch. de l'Inq. de Carcassonne (Doat, XXXI. 5, 139, 149).—MSS. Bib. Nat., fonds latin, No. 9992.—Martene Thesaur. I.1045.—Vaissette, III. Pr. 479.—Molinier, L'Inq. dans le midi de la France, pp. 387-8, 418.—Anon. Passaviens. (Mag. Bib. Pat. XIII. 308).—Tract. de Paup. de Lugd. (Martene Thesaur. V.1791).—Doctrina de modo procedendi (Ibid. 1807).—Practica super Inquisit. (MSS. Bib. Nat., fonds latin, No. 14930, fol. 206, 212, 213, 222, 223).—Concil. Biterrens. ann. 1246, App. c. 33.

his prisoners secure from the brutal violence of the secular officials.*

What was the papal response we can only conjecture, but it doubtless leaned rather to the rigorous zeal of Alphonse's officials than to the milder methods of Frère Renaud, for it was about this time that Rome definitely decided for the unconditional relaxation of all who were guilty of relapsing into heresy which had once been abjured. The precise date of this I have not been able to determine. In 1254 Innocent IV. contents himself, in a very aggravated case of double relapse occurring in Milan, with ordering destruction of houses and public penance, but in 1258 relaxation for relapse is alluded to by Alexander IV. as a matter previously irrevocably settled—possibly by the very appeal of Frère Renaud. It seems to have taken the inquisitors somewhat by surprise, and for several years they continued to trouble the Holy See with the pertinent question of how such a rule was to be reconciled with the universally received maxim that the Church never closes her bosom to her wayward children seeking to return. To this the characteristic explanation was given that the Church was not closed to them, for if they showed signs of penitence they might receive the Eucharist, even at the stake, but without escaping death. In this shape the decision was embodied in the canon law, and made a part of orthodox doctrine in the Summa of St. Thomas Aquinas. The promise of the Eucharist frequently formed part of the sentence in these cases, and the victim was always accompanied to execution by holy men striving to save his soul until the last—though it is shrewdly advised that the inquisitor himself had better not exhibit his zeal in this way, as his appearance will be more likely to excite hardening than softening of the heart.†

Although inquisitors continued to assume discretion in these cases and did not by any means invariably send the relapsed to the stake, still relapse became the main cause of capital punishment. Defiant heretics courting martyrdom were comparatively

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* Boutaric, Saint Louis et Alphonse de Poitiers, pp. 458–4.

† Ripoll I. 254. — C. 4 Sexto v. 2. — Potthast No. 17845. — S. Thom. Aquin. Sec. Sec. Q. xi. Art. 4. — Eymeric. Direct. Inq. p. 331, 512. — Lib. Sententt. Inq. Tolos. p. 36.—Zanchini Tract. de Hæret. c. xvi.

rare, but there were many poor souls who could not abandon conscientiously the errors which they had cherished, and who vainly hoped, after escaping once, to be able to hide their guilt more effectually.* All this gave a fresh importance to the question of what legally constituted relapse, and led to endless definitions and subtleties. It became necessary to determine with some precision, when the offender was refused a hearing, the exact amount of criminality in both the first and second offences, which would justify condemnation for impenitent heresy. Where guilt was ofttimes so shadowy and impalpable, this was evidently no easy matter.

There were cases in which a first trial had only developed suspicion without proof, and it seemed hard to condemn a man to death for an assumed second offence when he had not been proved guilty of the first. Hesitating to do so, the inquisitors applied to Alexander IV. to resolve their doubts, and he answered in the most positive manner. When the suspicion had been "violent" he said, it was "by a sort of legal fiction" to be held as legal proof of guilt, and the accused was to be condemned. When it was "light" he was to be punished more heavily than for a first offence, but not with the full penalty of relapse. Moreover, the evidence required to prove the second offence was of the slightest; any communication with or kindness shown to heretics sufficed. This decision was repeated by Alexander and his successors with a frequency which shows how doubtful and puzzling were the points which came up for discussion, but the rule of condemnation was finally carried into the canon law and became the unalterable policy of the Church. The authorities, except Zanghino, agree that in such cases there was no room for mercy.†

Besides these enigmas there were others respecting forms of guilt which might reasonably be regarded as less deserving of the last resort. Thus relapse into fautorship gave rise to considerable

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* Lib. Sententt. Inq. Tolosan. pp. 2–4, 22, 48, 63, 76, 81–90, 122, 142, 149, 150, 198–99, 230, 232, 287–88.

† Alex. PP. IV. Bull. *Quod super nonnullis*, 9 Dec. 1257, 15 Dec. 1258, 10 Jan. 1260.—Urban. PP. IV. Bull. *Quod super nonnullis*, 21 Aug. 1262.—Can. 8 Sexto v. 2.—Bern. Guidon. Practica P. IV. (Doat, XXX.).—Eymeric. Direct. Inq. p. 331.—Bernardi Comens. Lucerna Inquis. s. v. *Relapsus*.—Zanchini Tract. de Hæret. c. xvi.

divergence of views. The Council of Narbonne, in 1244, was of opinion that those guilty of this offence should be sent to the pope for absolution and the imposition of penance—a cumbrous procedure, not likely to find favor. During the middle period of the Inquisition, the authorities, including Bernard Gui, while not prescribing relaxation to the secular arm, suggest that penance be imposed sufficiently severe to inspire wholesome fear in others; while, towards the end of the fourteenth century, Eymerich holds that a relapsed fautor is to be abandoned to secular justice without a hearing. Even those defamed for heresy, if after due purgation they again incur defamation, are strictly liable to the same fate, though this was so hard a measure that Eymerich proposes that such cases should be referred to the pope.*

There was another class of offenders who gave the inquisitors endless trouble, and for whom it was difficult to frame rigid and invariable rules—those who escaped from prison or omitted to fulfil the penances assigned to them. According to theory, all penitents were converts to the true faith who eagerly accepted penance as their sole hope of salvation. To reject it subsequently was therefore an evidence that the conversion had been feigned or that the inconstant soul had reverted to its former errors, as otherwise the loving and wholesome discipline of the benignant Mother Church would not be spurned. From the beginning, therefore, these culprits were classed with the relapsed. In 1248 the Council of Valence ordered them to have the benefit of a warning, after which further persistence in disobedience rendered them liable to the full penalty of obstinate heresy; and this was sometimes provided for in the sentence itself, by a clause which warned them that any disregard of the observances enjoined would expose them to the fate of perjured and impenitent heretics. Yet as late as 1260 Alexander IV. seems at a loss what rule to prescribe in such cases, and merely talks vaguely of excommunication and reimposition of the penalties, with the assistance, if necessary, of the secular authorities. Yet about the same period Gui Foucoix pronounced in favor of the death-penalty for these offenders, arguing that the offence proved impenitent heresy; but Bernard Gui held this to

* Concil. Narbonn. ann. 1244 c. 13.—Doctrina de modo procedendi (Martene Thesaur. V. 1803, 1808).—Bern. Guidon. Practica P. IV. (Doat, XXX.).—Eymeric. Direct. Inq. p. 386.

be too severe, and advised leaving them to the discretion of the inquisitor—a discretion which he himself had no hesitation in exercising. The two most frequent varieties of the offence were laying aside the yellow crosses and prison-breaking. The former was never, so far as I have seen, punished with death, though visited with penalties sufficiently sharp to serve as a deterrent. The latter, according to the later inquisitors, was capital—the escaped prisoner was a relapsed heretic, to be burned without a hearing. Some jurists argued that a failure fully to betray all heretics of whom the convert had knowledge—a pledge to do so forming a necessary part of the oath of abjuration—constituted relapse, but Bernard Gui regards this as unduly harsh. Absolute refusal to perform the penance enjoined was, of course, evidence of obstinate heresy, leading inevitably to the stake. Such cases were naturally rare, for penance was only prescribed for those who had confessed, had professed conversion, and had asked for reconciliation; but there is one on record of a woman, in the latter half of the fifteenth century, before the Inquisition of Cartagena, who was duly abandoned to the secular arm.*

Notwithstanding these extensions of the death-penalty, I am convinced that the number of victims who actually perished at the stake is considerably less than has ordinarily been imagined. The deliberate burning alive of a human being, simply for difference of belief, is an atrocity so dramatic and appeals so strongly to the imagination that it has come to be regarded as the leading feature in the activity of the Inquisition. Yet, frequent as recourse to the stake undoubtedly was, it formed but a comparatively small part of the instrumentalities of repression. The records of those evil days have mostly disappeared, and there is now no possibility of recon-

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* Concil. Narbonn. ann. 1244 c. 13.—Concil. Biterrens. ann. 1246, Append. c. 33.—Concil. Valentin. ann. 1248 c. 13.—Archives de l'Évêché d'Albi (Doat, XXXV. 69).—Alex. PP. IV. Bull. *Ad audientiam*, 1260 (Mag. Bull. Rom. I. 118).—Guidon. Fulcod. Quæst. XIII.—Bern. Guidon. Practica P. IV. (Doat, XXX.).—Lib. Sententt. Inq. Tolosan. pp. 177, 199, 350, 393.—MSS. Bib. Nat., fonds latin, nouv. acquis. No. 139, fol. 2.—Eymeric. Direct. Inquis. p. 643.—Zanchini Tract. de Hæret. c. X.—Bern. Comens. Lucerna Inquisit. s. v. *Fuga*, No. 5.—Albertini Repertor. Inquisit. s. vv. *Deficiens*, *Impœnitens*.

structing their statistics, but if this could be done I have no doubt that the actual executions by fire would excite surprise by falling far short of the popular estimate. Imagination has grown inflamed at the manifold iniquities of the Holy Office, and has been ready to accept without examination exaggerations which have become habitual. No one can suspect the learned Dom Brial of prejudice or of ordinary lack of accuracy, and yet in his Preface to Vol. XXI. of the "Recueil des Historiens des Gaules" (p. xxiii.), he quotes as trustworthy an assertion that Bernard Gui, during his service as Inquisitor of Toulouse from 1308 to 1323, put to death no less than six hundred and thirty-seven heretics. Now that, as we have seen, was the total number of sentences uttered by the tribunal during those years, and of these sentences only forty were capital—in addition to sixty-seven dead heretics condemned to be exhumed and burned, for the most part because they were not alive to recant. Again, no inquisitor left behind him a more enviable record for zeal and activity in the relentless persecution of heresy than Bernard de Caux, who labored in the earlier period when the land was yet full of heresy, and heretics had not yet been cowed into submissiveness. Bernard Gui characterizes him as "a persecutor and hammer of heretics, a holy man and full of God, . . . wonderful in his life, wonderful in doctrine, wonderful in extirpating heresy;" he wrought miracles while alive, and in 1281, twenty-eight years after his death, his body was found uncorrupted and perfect, except part of the nose. Such a man is not to be accused of undue tenderness towards heretics, and yet, in his register of sentences from 1246 to 1248, there is not a single case of abandonment to the secular arm, unless we may reckon as such the condemnations of contumacious absentees, who were necessarily declared to be heretics. These, indeed, were liable to be burned by the secular justice, but, in fact, they could always save themselves by submission, and this very register affords a very striking instance in point. There was no more obnoxious heretic in Toulouse than Alaman de Roaix. He belonged to one of the noblest families in the city, and one which furnished many members to the heretic church, of which he himself was suspected of being a bishop. In 1229 the Legate Romano had condemned him and had imposed on him the penance of a crusade to the Holy Land, which he had sworn to perform and never fulfilled. In 1237 the earliest inquisi-

tors, Guillem Arnaud and Étienne de Saint-Thibery, again took up his case, finding him unremittingly active in protecting heretics and disseminating heresy, spoiling, ransoming, wounding, and slaying priests and clerks, and this time they condemned him *in absentia*. He became a *faydit*, or proscribed man, living sword in hand and plundering the orthodox to support himself and his friends. No more aggravated case of obstinate heresy and persistent contumacy can well be imagined, and yet when he acknowledged his errors, January 16, 1248, professed conversion, and asked for penance, a score of years after his first conversion, he was only condemned to imprisonment.*

In fact, as we have already seen, the earnest endeavors of the inquisitors were directed much more to obtaining conversions with confiscations and betrayal of friends than to provoking martyrdoms. An occasional burning only was required to maintain a wholesome terror in the minds of the population. With his forty cases of concremation in fifteen years, Bernard Gui managed to crush the last convulsive struggle of Catharism, to keep the Waldenses in check, and repress the zealous ardor of the Spiritual Franciscans. The really effective weapons of the Holy Office, the real curses with which it afflicted the people, can be looked for in its dungeons and its confiscations, in the humiliating penances of the saffron crosses, and in the invisible police with which it benumbed the heart and soul of every man who had once fallen into its hands.

A few words will suffice as to the repulsive subject of the execution itself. When the populace was called together to view the last agonies of the martyrs of heresy, its pious zeal was not mocked by any ill-advised devices of mercy. The culprit was not, as in the later Spanish Inquisition, strangled before the lighting of the fagots; nor had the invention of gunpowder suggested the somewhat less humane expedient of hanging a bag of that explosive around his neck to shorten his torture when the flames should reach it. He was tied living to a post set high enough over a pile

* Bern. Guidon. Fund. Conv. Prædicat. (Martene Thesaur. VI. 481–3).—Coll. Doat, XXI. 143, 146.—MSS. Bib. Nat., fonds latin, No. 9992.—Molinier, L'Inq. dans le midi de la France, pp. 73–4.

of combustibles to enable the faithful to watch every act of the tragedy to its awful end. Holy men accompanied him to the last, to snatch his soul if possible from Satan; and, if he were not a relapsed, he could, as we have seen, save also his body at the last moment. Yet even in these final ministrations we see a fresh illustration of the curious inconsistency with which the Church imagined that it could shirk the responsibility of putting a human creature to death, for the friars who accompanied the victim were strictly warned not to exhort him to meet death promptly or to ascend firmly the ladder leading to the stake, or to submit cheerfully to the manipulations of the executioner, for if they did so they would be hastening his end and thus fall into "irregularity" —a tender scruple, it must be confessed, and one singularly out of place in those who had accomplished the judicial murder. For these occasions a holiday was usually selected, in order that the crowd might be larger and the lesson more effective; while, to prevent scandal, the sufferer was silenced, lest he might provoke the people to pity and sympathy.*

As for minor details, we happen to have them preserved in an account by an eye-witness of the execution of John Huss at Constance, in 1415. He was made to stand upon a couple of fagots and tightly bound to a thick post with ropes, around the ankles, below the knee, above the knee, at the groin, the waist, and under the arms. A chain was also secured around the neck. Then it was observed that he faced the east, which was not fitting for a heretic, and he was shifted to the west; fagots mixed with straw were piled around him to the chin. Then the Count Palatine Louis, who superintended the execution, approached with the Marshal of Constance, and asked him for the last time to recant. On his refusal they withdrew and clapped their hands, which was the signal for the executioners to light the pile. After it had burned away there followed the revolting process requisite to utterly destroy the half-burned body—separating it in pieces, breaking up the bones and throwing the fragments and the viscera on a fresh fire of logs. When, as in the cases of Arnaldo of Brescia, some of the Spiritual Franciscans, Huss, Savonarola, and others, it was

* Eymeric. Direct. Inquis. p. 512.—Tract. de Paup. de Lugd. (Martene Thesaur. V. 1793).

feared that relics of the martyr would be preserved, especial care was taken, after the fire was extinguished, to gather up the ashes and cast them in a running stream.*

There is something grotesquely horrible in the contrast between this crowning exhibition of human perversity and the cool business calculation of the cost of thus sending a human soul through flame to its Creator. In the accounts of Arnaud Assalit we have a statement of the expenses of burning four heretics at Carcassonne, April 24, 1323. It runs thus:

For large wood	55 sols 6 deniers.
For vine-branches	21 sols 3 deniers.
For straw	2 sols 6 deniers.
For four stakes	10 sols 9 deniers.
For ropes to tie the convicts	4 sols 7 deniers.
For the executioner, each 20 sols	80 sols.
In all	8 livres 14 sols 7 deniers.

or, a little more than two livres apiece.†

When the heretic had eluded his tormentors by death and his body or skeleton was dug up and burned, the ceremony was necessarily less impressive, but nevertheless the most was made of it. As early as 1237 Guillem Pelisson, a contemporary, describes how at Toulouse a number of nobles and others were exhumed, when "their bones and stinking corpses" were dragged through the streets, preceded by a trumpeter proclaiming "*Qui aytal fara, aytal perira*"—who does so shall perish so—and at length were duly burned "in honor of God and of the blessed Mary His mother, and the blessed Dominic His servant." This formula was preserved to the end, and it was not economical from a pecuniary point of view. In Assalit's accounts we find that it cost five livres nineteen sols and six deniers, in 1323, for labor to dig up the bones of three dead heretics, a sack and cord in which to stow them, and two horses to drag them to the Grève, where they were burned the next day.‡

The agency of fire was also invoked by the Inquisition to rid

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* Mladenowic Narrat. (Palacky Monument. J. Huss II. pp. 321-4).—Landucci, Diar. Fiorent. p. 178.

† Coll. Doat, XXXIV. 189.

‡ Guillel. Pelisso Chron. Ed. Molinier p. 45.—Coll. Doat, XXXIV. 189.

the land of pestilent and heretical writings, a matter not without interest as signalizing the commencement of its activity in what subsequently became the censorship of the press. The burning of books displeasing to the authorities was a custom respectable by its antiquity. Constantine, as we have seen, demanded the surrender of all Arian works under penalty of death. In 435 Theodosius II. and Valentinian III. ordered all Nestorian books to be burned, and another law threatens punishment on all who will not deliver up Manichæan writings for the same fate. Justinian condemned the *secunda editio*, in which the glossators agree in recognizing the Talmud. During the ages of barbarism which followed there was little to call forth this method of repressing the human mind, but with the revival of speculation the ancient measures were speedily again called into use. When, in 1210, the University of Paris was agitated with the heresy of Amaury, the writings of his colleague, David de Dinant, together with the Physics and Metaphysics of Aristotle, to which it was attributed, were ordered to be burned. Allusion has already been made to the burning of Romance versions of the Scriptures by Jayme I. of Aragon and to the commands of the Council of Narbonne, in 1229, against the possession of any portion of Holy Writ by laymen, as well as to the burning of William of St. Amour's book, "*De periculis.*" Jewish books, however, and particularly the Talmud, on account of its blasphemous allusions to the Saviour and the Virgin, were the objects of special detestation, in the suppression of which the Church was unwearying. In the middle of the twelfth century Peter the Venerable contented himself with studying the Talmud and holding up to contempt some of the wild imaginings which abound in that curious compound of the sublime and the ridiculous. His argumentative methods were not suited to the impatience of the thirteenth century, which had committed itself to sterner dealings with misbelievers, and the persecution of Jewish literature followed swiftly on that of Albigenses and Waldenses. It was started by a converted Jew named Nicholas de Rupella, who, about 1236, called the attention of Gregory IX. to the blasphemies with which the Hebrew books were filled, and especially the Talmud. In June, 1239, Gregory issued letters to the Kings of England, France, Navarre, Aragon, Castile, and Portugal, and to the prelates in those kingdoms, ordering that on a Sabbath in

the following Lent, when the Jews would be in their synagogues, all their books should be seized and delivered to the Mendicant Friars. A report of the examination which ensued in Paris has been preserved, and shows that there was no difficulty in finding in the Jewish writings abundant matter offensive to pious ears, though the Rabbis who ventured to appear in their defence endeavored to explain away the blasphemous allusions to the Christian Messiah, the Virgin, and the saints. The proceedings dragged on for years, and sentence was not finally rendered until May 13, 1248, after which Paris was edified with the spectacle of the burning of fourteen wagon-loads at one time and of six at another. Like the *luz* or *os coccygis*, which the Rabbis held to be indestructible, the Talmud could not be wiped out of existence, and, in 1255, St. Louis, in his instructions to his seneschals in the Narbonnais, again orders all copies to be burned, together with all other books containing blasphemies; while in 1267 Clement IV. (Gui Foucoix) instructed the Archbishop of Tarragona to coerce by excommunication the King of Aragon and his nobles to force the Jews to deliver up their Talmuds and other books to the inquisitors for examination, when, if they contain no blasphemies, they may be returned, but if otherwise they are to be sealed up and securely kept. Alonso the Wise of Castile was wiser, if, as reported, he caused the Talmud to be translated, in order that its errors might be exposed to the public. The passive resistance of the faithful was not to be overcome, and in 1299 Philippe le Bel felt obliged to denounce the persistent multiplication of the Talmud, and to order his judges to aid the Inquisition in its extermination. Ten years later, in 1309, we hear of three large wagon-loads of Jewish books publicly burned in Paris. How fruitless were all these efforts is seen in a formal sentence recited by Bernard Gui in the *auto de fé* of 1319. Under the impulsion of the Inquisition the royal officials had again made diligent perquisition and had collected all the copies of the Talmud on which they could lay their hands. Experts in the Hebrew tongue had then been employed to examine them carefully, and after mature counsel between the inquisitors and the jurists called in to assist, the books were condemned to be carried in two carts through the streets of Toulouse, while the royal officers proclaimed in loud voice that their fate was due to their blasphemies against the Lord Jesus

Christ and his mother the most holy Virgin and the Christian name, after which they were to be solemnly burned. This is the only case of execution occurring during Bernard Gui's term of service as inquisitor, and, from two carts being required to accommodate the obnoxious books, it was probable the result of search continued for a considerable time. That he deemed the matter to require constant vigilance is shown by his including in his collection of forms one which orders all priests for three Sundays to publish an injunction commanding the delivery to the Inquisition, for examination, of all Jewish books, including "Talamuz," under pain of excommunication. The warfare against this specially obnoxious work continued. In the very next year, 1320, John XXII. issued orders that all copies of it should be seized and burned. In 1409 Alexander V. paused in his denunciation of rival popes to order its destruction. The contest is well known which arose over it at the revival of letters, with Pfefferkorn and Reuchlin as the rival champions, and not all the efforts of the humanists availed to save it from prescription. Even as late as 1554 Julius III. repeated the command to the Inquisition to burn it without mercy, and all Jews were ordered, under pain of death, to surrender all books blaspheming Christ—a provision which was embodied in the canon law and remains there to this day. The censorship of the Inquisition was not confined to Jewish errors, but its activity in this direction will be more conveniently considered hereafter.*

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* Sozomen. H. E. II. 20.—Constt. vi.; xvi. § 1, Cod. I. 5.—Auth. Novell. CXLVI. c. 1.—Rigord. de Gest. Phil. Aug. ann. 1210.—Petri Venerab. Tract. contra Judæos c. iv.—D'Argentré, Collect. Judicior. de nov. Erroribus I. i. 132, 146-56, 349.—Potthast. No. 10759, 10767, 11376.—Ripoll, I. 437-88.—Pelayo, Heterodoxos Españoles, I. 509.—Coll. Doat, XXXVII. 125, 246.—Hardnin. Concil. VII. 485.—S. Martial. Chron. ann. 1309 (Bouquet, XXI. 813).—Lib. Senteutt. Inq. Tolos. pp. 273-4.—Bern. Guidon. Practica (Doat, XXIX. 246).—Rayuald. ann. 1320, No. 23.—Waddiug. ann. 1409, No. 12.—C. 1 in Septimo v. 4.

In the Paris condemnation of 1248 the Talmud only is specified, though in the examination mention is made of the Gloss of Solomon of Troyes, and of a work which from its description would seem to be the Toldos Jeschu, or history of Jesus, which so excited the ire of the Carthusian, Ramon Marti, in his *Pugio Fidei*, and of all subsequent Christians (cf. Wagenseilii Tela Ignea Satanæ, Altdorfi, 1681). No one can read its curious account of the career of Christ from a Jewish standpoint without wondering that a single copy of it was allowed to reach modern times.

This is not the place for us to consider the influence of the Inquisition in all its breadth, but while yet we have its procedure in view it may not be amiss to glance cursorily at some of the effects immediately resulting from its mode of dealing with those whom it tried and condemned or absolved.

On the Church the processes invented and recommended to respect by the Inquisition had a most unfortunate effect. The ordinary episcopal courts employed them in dealing with heretics, and found their arbitrary violence too efficient not to extend it over other matters coming within their jurisdiction. Thus the spiritual tribunals rapidly came to employ inquisitorial methods. Already, in 1317, Bernard Gui speaks of the use of torture being habitual in them; and in complaining of the Clementine restrictions, he asks why the bishops should be limited in applying torture to heretics, while they could employ it without limit in everything else.*

Thus habituated to the harshest measures, the Church grew harder and crueller and more unchristian. The worst popes of the twelfth and thirteenth centuries could scarce have dared to shock the world with such an exhibition as that with which John XXII. glutted his hatred of Hugues Gerold, Bishop of Cahors. John was the son of an humble mechanic of Cahors, and possibly some ancient grudge may have existed between him and Hugues. Certain it is that no sooner did he mount the pontifical throne than he lost no time in assailing his enemy. May 4, 1317, the unfortunate prelate was solemnly degraded at Avignon and condemned to perpetual imprisonment. This was not enough. On a charge of conspiring against the life of the pope he was delivered to the secular arm, and in July of the same year he was partially flayed alive and then dragged to the stake and burned.†

This hardening process went on until the quarrels of the loftiest prelates were conducted with a savage ferocity which would have shamed a band of buccaneers. When, in 1385, six cardinals were accused of conspiring against Urban VI. the angry pontiff had them seized as they left the consistory and thrust into an

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* Bern. Guidon. Gravam. (Doat, XXX. 101).

† Extrav. Commun. Lib. v. Tit. viii. c. 1.— Amalrici Augerii Vit. Pontif. ann. 1316-17.—Bern. Guidon. Vit. Joann. XXII.

abandoned cistern in the castle of Nocera, where he was staying, so restricted in dimensions that the Cardinal di Sangro, who was tall and portly, could not stretch himself at full length. The methods taught by the inquisitors were brought into play. Subjected to hunger, cold, and vermin, the accused were plied by the creatures of the pope with promises of mercy if they would confess. This failing, torture was used on the Bishop of Aquila and a confession was procured implicating the others. They still refused to admit their guilt, and they were tortured on successive days. All that could be obtained from the Cardinal di Sangro was the despairing self-accusation that he suffered justly in view of the evil which he had wrought on archbishops, bishops, and other prelates at Urban's command. When it came to the turn of the Cardinal of Venice, Urban intrusted the work to an ancient pirate, whom he had created Prior of the Order of St. John in Sicily, with instructions to apply the torture till he could hear the victim howl; the infliction lasted from early morning till the dinner-hour, while the pope paced the garden under the window of the torture-chamber, reading his breviary aloud that the sound of his voice might keep the executioner reminded of the instructions. The strappado and rack were applied by turns, but though the victim was old and sickly, nothing could be wrenched from him save the ejaculation, "Christ suffered for us!" The accused were kept in their foul dungeon until Urban, besieged in Nocera by Charles of Durazzo, managed to escape and dragged them with him. In the flight the Bishop of Aquila, weakened by torture and mounted on a miserable hack, could not keep up with the party, when Urban ordered him despatched and left his corpse unburied by the wayside. The six cardinals, less fortunate, were carried by sea to Genoa, and kept in so vile a dungeon that the authorities were moved to pity and vainly begged mercy for them. Cardinal Adam Aston, an Englishman, was released on the vigorous intercession of Richard II., but the other five were never seen again. Some said that Urban had them beheaded; others that when he sailed for Sicily he carried them to sea and cast them overboard; others, again, that a trench was dug in his stable in which they were buried alive with a quantity of quicklime, to hasten the disappearance of their bodies. Urban's competitor, known as Clement VII., was no less sanguinary. When, as Cardinal Robert of

Geneva, he exercised legatine functions for Gregory XI., he led a band of Free Companions to vindicate the papal territorial claims. The terrible cold-blooded massacre of Cesena was his most conspicuous exploit, but equally characteristic of the man was his threat to the citizens of Bologna that he would wash his hands and feet in their blood. Such was the retroactive influence of the inquisitorial methods on the Church which had invented them to plague the heretic. If Bernabo and Galeazzo Visconti caused ecclesiastics to be tortured and burned to death over slow fires, they were merely improving on the lessons which the Church itself had taught.*

On secular jurisprudence the example of the Inquisition worked even more deplorably. It came at a time when the old order of things was giving way to the new — when the ancient customs of the barbarians, the ordeal, the wager of law, the wer-gild, were growing obsolete in the increasing intelligence of the age, when a new system was springing into life under the revived study of the Roman law, and when the administration of justice by the local feudal lord was becoming swallowed up in the widening jurisdiction of the crown. The whole judicial system of the European monarchies was undergoing reconstruction, and the happiness of future generations depended on the character of the new institutions. That in this reorganization the worst features of the imperial jurisprudence — the use of torture and the inquisitorial process — should be eagerly, nay, almost exclusively, adopted, should be divested of the safeguards which in Rome restricted their abuse, should be exaggerated in all their evil tendencies, and should, for five centuries, become the prominent characteristic of the criminal jurisprudence of Europe, may safely be ascribed to the fact that they received the sanction of the Church. Thus recommended, they penetrated everywhere along with the Inquisition; while most of the nations to whom the Holy Office was unknown maintained their ancestral customs, developing into various

*Theod. a Niem de Schismate Lib. I. c. 42, 45, 48, 50, 51, 52, 56, 57, 60.— Gobelin. Personæ Cosmodrom. Aet. VI. c. 78.—Chronik des J. v. Königshofen (Chron. der Deutschen Städte, IX. 598). — Raynald. ann. 1362, No. 13; 1372, No. 10.—Poggii Hist. Florentin. Lib. II. ann. 1376.

forms of criminal practice, harsh enough, indeed, to modern eyes, but wholly divested of the more hideous atrocities which characterized the habitual investigation into crime in other regions.*

Of all the curses which the Inquisition brought in its train this, perhaps, was the greatest—that, until the closing years of the eighteenth century, throughout the greater part of Europe, the inquisitorial process, as developed for the destruction of heresy, became the customary method of dealing with all who were under accusation; that the accused was treated as one having no rights, whose guilt was assumed in advance, and from whom confession was to be extorted by guile or force. Even witnesses were treated in the same fashion; and the prisoner who acknowledged guilt under torture was tortured again to obtain information about any other evil-doers of whom he perchance might have knowledge. So, also, the crime of "suspicion" was imported from the Inquisition into ordinary practice, and the accused who could not be convicted of the crime laid to his door could be punished for being suspected of it, not with the penalty legally provided for the offence, but with some other, at the fancy and discretion of the judge. It would be impossible to compute the amount of misery and wrong, inflicted on the defenceless up to the present century, which may be directly traced to the arbitrary and unrestricted methods introduced by the Inquisition and adopted by the jurists who fash-

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* I have treated this subject at some length in an essay on torture (Superstition and Force, 3d Edition, 1878), and need not here dwell further on its details. The student who desires to see the shape which the inquisitorial process assumed in later times can consult Brunnemann (Tractatus Juridicus de Inquisitionis Processu, Ed. octava, Francof. 1704), who attributes its origin to the Mosaic law (Deut. XIII. 12; XVII. 4), and vastly prefers it to the proceeding *per accusationem*. Indeed, a case in which *accusatio* failed or threatened to fail could be resumed or continued by *inquisitio* (op. cit. Cap. I. No. 2, 15–18). It supplied all deficiencies and gave the judge almost unlimited power to convict.

The manner in which the civil power was led to adopt the abuses of the Inquisition is well illustrated in a Milanese edict of 1393, where the magistrates, in proceedings against malefactors, are ordered to employ the inquisitorial process "*summarie et de plano sine strepitu et figura judicii*," and to supply all defects of fact "*ex certa scientia*" (Antiq. Ducum Mediolan. Decreta. Mediolani, 1654, p. 188). A comparison of this with the Milanese jurisprudence of sixty years earlier, quoted above (p. 401), will show how rapidly in the interval force had usurped the place of justice.

ioned the criminal jurisprudence of the Continent. It was a system which might well seem the invention of demons, and was fitly characterized by Sir John Fortescue as the Road to Hell.*

* Fortescue de Laudibus Legum Angliæ cap. xxii.—As late as 1823 there is a case in which a court in Martinique condemned a man to the galleys for life for "vehement suspicion" of being a sorcerer (Isambert. Anc. Loix Françaises, XI. 253).

APPENDIX.

I.

Catharan Arguments to Justify the Attribution of the Old Testament to the Evil Principle.

(Archives de l'Inquisition de Carcassonne.—Doat, XXXVI. 91.)

The literature of the Cathari has been so successfully exterminated that anything attributable to the sect is of interest. The following, from a controversial tract, dating probably about the close of the thirteenth century, may be regarded as a fair summary of the reasons alleged by the sect to prove that the Creator, Jehovah, was Satan. There is sufficient identity between them and those given by Moneta (adversus Catharos, Lib. II. c. vi.) to show that they are in some sort the official and customary arguments of the heretics. I omit the counter-arguments of the writer, who generally follows Moneta, though he often reasons independently.

Primo igitur objicitur illud, Geneseos tertio: *Ecce Adam quasi unus ex nobis factus est.* Hoc dicit Deus de Adam postquam peccavit, et constat quod dicit verum aut falsum: si verum, ergo Adam factus erat similis ei qui loquebatur et eis cum quibus loquebatur. Sed Adam post peccatum factus erat peccator; ergo malus: si dixit falsum, ergo est mendax, ergo sic dicendo peccavit, et sic fuit malus.

Item ad idem. Deus ille dicit, Geneseos primo: *Videte ne forte sumat de ligno vitæ* etc. Deus autem novi testamenti dicit, Apocalipsis primo: *Vincenti dabo edere de ligno vitæ.* Ille prohibet, iste promittit, ergo contrarii sunt ad invicem.

Item ad idem, Geneseos primo: *Tenebræ erant super facie abyssi, dixitque Deus: Fiat lux.* Ergo Deus veteri testamenti incepit a tenebris et finivit in lucem; ergo est tenebrosus; ergo est malus, qui prius fecit tenebras quam lucem.

Item ad idem, Genescos tertio: *Inimicitias ponam inter te et mulierem, et inter semen tuum et semen mulieris.* Ecce Deus veteris testamenti seminator est discordiæ et inimicitiæ. Deus autem novi testamenti dator est pacis et solutor inimicitiarum, sicut legitur Coloss. primo: *Quoniam in ipso placuit omnem plenitudinem deitatis habitare, et per ipsum reconciliari omnia in ipsum, sive quæ in*

calis, sive quæ in terris sunt. Ecce ille seminat inimicitias, iste vult omnia reconciliare et pacificare in se; Ergo sunt contrarii sibi.

Item, Geneseos tertio: *Maledicta terra in opere tuo.* Ecce Deus veteri testamenti maledicit terram quam Deus novi testamenti benedicit, psalmo: *Benedixisti domine terram tuam:* Ergo sunt contrarii.

Item, Genesi: *Omnis anima quæ circumcisa non fuerit peribit de populo suo.* Apostolus autem e contra prohibet Galatis: *si circumcidimini Christo nihil vobis prodest:* Ergo iste contrarius illi.

Item ad idem, Exodi undecimo: *Postulet unusquisque a vicino suo et unaquæque a vicina sua vasa aurea et argentea.* Ecce Deus veteris testamenti præcipit rapinam. Deus autem novi testamenti *non rapinam* arbitratus est, ut dicit Apostolus: Ergo sunt contrarii.

Item ad idem, Matthæi quinto: *Dictum est antiquis: Diliges proximum tuum et odio habebis inimicum tuum.* Sed constat quod hoc dictum est a Deo veteris testamenti. Deus autem novi testamenti dicit: *Diligite inimicos vestros.* Igitur contrariantur sibi invicem.

Item ad idem, Matthæi quinto: *Dictum est antiquis: Oculum pro oculo* etc. *Ego autem dico vobis non resistere malo, sed si quis percusserit* etc. Ecce ille Deus vindictam, iste veniam imperat: Ergo sunt contrarii.

Item ad idem, Exodi vicesimo primo dicit Deus veteris testamenti: *Si occiderit quispiam proximum suum dabit animam pro anima.* Deus autem novi testamenti dicit apud Lucam: *Non veni animas perdere sed salvare.*

Item, Joannis primo: *Deum nemo vidit unquam*, et ad Timotheum: *Quem nullus hominum vidit.* At e contra Deus veteris testamenti dicit, Deuteron. tertio: *Si quis fuerit inter vos propheta* etc.; et paulo post: *At non talis est servus meus Moyses* etc.; et infra: *Ore ad os loquitur ei et palam non per ænigmata et figuras Deum vidit.*

Item ad idem, Levitici vicesimo sexto: *Persequimini inimicos vestros;* At e contra, Matthæi quinto: *Beati qui persecutionem patiuntur;* et iternum: *Cum vos persecuti fuerint in unam civitatem, fugite in aliam.* Ille præcipit persequi inimicos, iste fugere: Ergo, etc.

Item, Deus veteris testamenti præcipit sibi immolari animalia, et in illis delectatur sacrificiis; Deus autem novi testamenti, secundum aliam translationem dicit in Psalmo: *hostiam et oblationem noluisti, corpus autem aptasti mihi; holocaustomata pro peccato tibi non placuerunt.* Ille Deus talia præcipit, iste respuit: Ergo, etc.

Item ad idem, Deuteron. decimo tertio: *Si surrexerit de medio tuo prophetes etc. et ita interficietur;* et iterum: *si tibi voluerit persuadere frater tuus* etc.; et infra: *non parcet ei oculus tuus ut miserearis et occultes eum, sed statim interficies.* Deus autem novi testamenti e contra dicit: *Estote misericordes* etc. Hic præcipit misereri, ille non miserere: Ergo etc.

Deus veteris testamenti dicit: *Crescite et multiplicamini*, Geneseos octavo. Deus autem novi testamenti dicit, Lucæ decimo octavo: *Væ prægnantibus et nutrientibus in diebus illis;* et in eodem vicesimo: *Beata steriles quæ non genuerunt.* Item, Matthæi quinto: *Qui viderit mulierem ad concupiscendam eam* etc.

Ecce ille præcipit coitum, iste probibet omnem coitum, tam uxoris quam mulieris alterius: Igitur sunt sibi contrarii.

Item, Matthæi vicesimo, Lucæ vicesimo secundo: *Scitis quoniam principes gentium dominantur eorum, et qui majores sunt*, etc. *et non ita erit inter vos sicut inter gentes.* Ecce iste reprobat principatus et dominationes, ille probat.*

Item, Deuteronomii decimoquinto multis gentibus concedit hic usuram; Deus autem novi testamenti prohibet in Lucæ sexto: *Date mutuum nihil inde sperantes:* Ergo sunt contrarii.

Tentavit Deus veteris testamenti Abraham, Deus novi testamenti neminem tentat; Jac. primo: *Ipse intentator malorum est:* Ergo sunt contrarii.

Item ad idem, Deus veteris testamenti dicit: *Veniam ad te in caligine nubis;* Deus autem novi testamenti *habitat lucem inaccessibilem* ut legitur Hebræor. primo; Ergo sunt contrarii.

Item ad idem, Matthæi quinto: *Dictum est antiquis: non perjurabis, reddes autem Deo juramenta tua; ego autem dico vobis non jurare omnino;* quod ille concedit iste prohibet; Ergo etc.

Item, Exodi vicesimo primo; *Maledictus omnis qui pendet in ligno;* Sed Paulus dicit Galat. quarto: *Christus nos redemit de maledictione legis, factus pro nobis maledictum;* Ergo Deus veteris testamenti, quem dicis patrem Christi, maledixit Christum, sed constat quod pater non maledicit filium, ergo ille non est pater ejus, imo est malus et contrarius cui maledicit.

Item ad idem, Deus veteris testamenti promittit terram ut ibi; *Dabo vobis terram fluentem lac et mel.* Ecce deliciæ terrenæ. Deus autem novi testamenti promittit regnum cœlorum, requiem æternam, delicias cœlestes ut ibi: *Invenietis requiem animabus vestris.* Ergo ipsi sunt diversi et contrarii.

Item ad idem, Deus novi testamenti dicit Matthæi sexto: *Jugum meum suave est et onus meum leve.* Deus autem veteris testamenti imponit jugum importabile, Deuteronomii vicesimo octavo, ubi maledixit illos qui non servaverunt illa quæ præceperat, de quo jugo dicit Petrus: *cur vos imponere tentatis nobis jugum quod nec vos nec patres vestri portare potuistis?* Ergo sunt contrarii; ille enim malus et iste bonus.

Item ad idem, Exodi quarto: *si dixerint mei, quod est nomen ejus qui misit me etc. respondit Dominus: sic dices ad eos: qui est misit me ad vos.* Ecce Deus veteris testamenti translator est, qui non vult nomen ejus manifestare; sed dicit *qui est* etc. Ita enim asinus et bos est qui est. Deus autem novi testamenti nomen suum manifestat per angelum suum, Lucæ secundo, *et vocabis nomen ejus Jesum.*

Deus veteris testamenti dicit Geneseos sexto: *Pœnitet me fecisse hominem.* Ecce qualis Deus quem pœnitet de opere suo; ergo mutatur. Præterea pœnitentia est de peccato, ergo si pœnitet peccavit; Ergo malus fuit.

Item ad idem, Exodi tricesimo secundo: Postquam filii Israel adoraverunt

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* There is evidently something lacking here. It can doubtless be supplied from Moneta, p. 151. "Et e contrario Deuteronomii, 15, v. 9, dicit legislator: *Dominaberis nationibus plurimis et nemo tibi dominabitur.*"

vitulum, dicit Deus ille Moysi: *Dimitte me, ut irascatur furor meus contra eos*, et infra: *Placatusque est Deus ne faceret malum quod locutus fuerat adversus populum suum.* Ecce quod mutatus est Deus veteris testamenti; Deus autem novi testamenti (non) immutatur, juxta illud Jacobi primo: *Omnedatumest* etc.; et infra; *Apud quem non est immutatio* etc.

Item ad idem, Exodi vicesimo, Deus veteris testamenti dicit: Non *mœchaberis*, et idem Deus dicit Numerorum duodecimo: *Ecce ego suscitabo super te malum de domo tuo, et tollam uxorem tuam et dabo proximo tuo, id est, filio tuo.* Ecce non solum mœchationis quam ibi prohibuit, sed etiam incestus est procurator; ille Deus ergo malus et mutabilis.

Item ad idem, Exodi vicesimo primo: *non facies tibi sculptile nec aliquam similitudinem*, et infra, vicesimo quinto: *Facies duo cherubim aurea.* Ecce quanta mutabilitas, *facies* et *non facies.*

Qualis est Deus ille qui tot millia hominum submersit in diluvio etc.; habetur Geneseos sexto; et in mare rubro, Exodi decimo quinto; et in deserto, et in multis aliis locis. Si dicis quod non est crudelitas punire malos etc. quære, si erat omnipoteus et omnisciens, sciebat omnes peccaturos et futuros malos, et propter hoc damnandos, quare ergo fecierat eos? Nonne crudelis est qui homines ad hoc facit ut perdat?

Item ad illem, Exodi tricesimo secundo: *Hæc dicit Dominus;* et infra: *Ponat vir gladium super femur suum;* et infra: *Et occiderunt in illa die viginti tria millia.* Ecce qualis Deus quos habet clericos et ministros siquidem totius crudelitatis. Deus autem novi testamenti ministros pietatis; unde Joannes in canonica: *Qui diligit Deum diligit et fratrem suum.* Iste præcipit fratrem diligi, ille occidi.

Item ad idem, Numeror. tricesimo quarto; Deus veteris testamenti dixit filiis Israel de gentibus illis qui erant in terra Cham: *Si nolueritis occidere eos, erunt clavi in oculis nostris et lanceæ in latcribus.* Ecce crudelis Deus qui non vult injurias dimitti. Deus autem novi testamenti dicit Matthæi sexto. *Si non dimiseritis hominibus, nec pater vester cœlestis dimittet vobis peccata vestra.*

Item ad idem, Geneseos decimo nono, ubi Deus veteris testamenti justum simul et impium occidit, sicut patet in submersione Sodomæ et Gomorrhæ, ubi parvulos et adultos simul extinxit.

Item ad idem, Judicum vicesimo legitur quod cum filii Israel vellent pugnare contra filios Benjamin proper scelus quod commiserant in uxorem cujusdam fratris sui, consuluerunt Dominum si pugnandum esset contra eos, et quis esset dux belli, et expressit illis Judas, et quod pugnandum esset; unde sub hac fiducia inierunt bellum et occiderunt ex eis in primo conflictu viginti duo millia, in secundo octodecim millia, in tertio pauciores. Ecce quam crudelis et deceptor Deus, qui sic eos decepit ut perirent.

Item, Exodi quinto dicit Deus veteris testamenti: *Indurabo cor Pharaonis et non dimittet populum;* ecce crudelis Deus qui indurat ut occidat. Item, mendax Deus qui dicit *non dimittet*, et postea dimisit.

Item ad idem, Numerorum decimo quinto: Deus ille lapidare præcepit quemdam colligendum ligna in Sabbato, consultus super hoc a Moysi et Aaron. Deus

autem novi testamenti excusat discipulos fricantes spicas Sabbato; Ecce quam contrarii iste et ille!

In Genesi promisit Deus ille se daturum terram Chanaan Abrahæ, nec tamen dedit, ergo fuit mendax. . . . Quod autem objiciunt de illis qui egressi sunt de Ægypto, quibus et promisit per Moysen terram illam, et tamen omnes prostrati sunt in deserto.

Ad idem, Exodi tricesimo secundo: *Domine ostende mihi faciem tuam* et Dominus respondit: *Ego ostendam tibi omne bonum*, et postea ostendit ei omnia posteriora, id est, turpitudinem. Ecce qualis Deus!

Ad idem, Geneseos undecimo de Gigantibus qui ædificabant turrim, dixit ille Deus: *non desistent a cogitationibus suis donec eas opere compleverint;* et tamen sequitur ibidem: *Et cessaverunt ædificare.* Ecce quam mendax Deus!

Ad idem, Geneseos XXXII. dicit angelus Dei ad Jacob: *Nequaquam vocaberis ultra Jacob, sed Israel erit nomen tuum.* Et postea dicit in Exodo: *Ego sum Deus Abraham, Isaac, et Jacob;* et ita sibi contradicit; mendax igitur est ille Deus.

Dicit ille Deus: *Quis decipiet nobis Achab? . . . Ego ero spiritus mendax in ore omnium prophetarum . . . Egredere et fac, decipies enim et prævalebis . . . Dedit Deus spiritum mendacii in ore omnium prophetarum.* Ecce qualis Deus: si esset Deus veritas constat quod non diceret: *quis decipiet* etc.

II.

Bull of Gregory IX. Ordering an Episcopal Inquisition.

(Archives de l'Inquisition de Carcassonne.—Doat, XXXII. fol. 103.)

Gregorius episcopus servus servorum Dei venerabilibus fratribus suffraganeis ecclesiæ Bisuntinensis salutem et apostolicam benedictionem. Ad capiendas vulpes parvulas, hæreticos videlicet qui moliuntur in partibus Burgundiæ tortuosis anfractibus vineam Domini demoliri, et penitus eliminandas ab ipsa suscepti cura regiminis nos hortatur. Ad nostram siquidem audientiam noveritis pervenisse quod quidam hæretici in vestris diocesibus constituti, qui metu mortis falso ad ecclesiam catholicam revertentes necnon et plures alii de hæretica pravitate convicti, ad errorem pravitatis ejusdem, quam a se abdicasse penitus videbantur, ut gravius scindere valeant catholicam unitatem sæpius revertuntur. Ne igitur per tales sub falsa conversionis specie catholicæ fidei professores corrumpere contingat, universitati vestræ per apostolica scripta præcipiendo mandamus, quatinus hujusmodi pestilentes, postquam fuerint de jam dicta pravitate convicti, si aliter puniti non fuerint, ita quod quilibet vestrum in suo diocesi ut ipsis det vexatio intellectum, in perpetuo carcere recludatis, de bonis ipsorum, si qua fortassis habent, sibi vitæ necessaria prout consuevit talibus ministrantes; alioquin noveritis nos venerabili fratri nostro Archiepiscopo Bisuntino nostris dedisse litteris in mandatis ut vos ad id auctoritate nostra, sublato cujuslibet appellationis impedimento, compellat. Datum Laterani, sexto Kalendas Junii, pontificatus nostri anno septimo (27 Mai. 1234).

III.

Bull Relieving Inquisitors from Obedience to their Superiors.

(Archives de l'Inquisition de Carcassonne.—Doat, XXXII. fol. 15.)

Clemens episcopus servus servorum Dei dilectis filiis fratribus ordinum prædicatorum et minorum inquisitoribus hæreticæ pravitatis per diversas Burgondiæ et Lotharingiæ partes auctoritate apostolica deputatis et in posterum deputandis, salutem et apostolicam benedictionem. Catholicæ fidei negotium quod plurimum insidet cordi nostro in vestris prosperari manibus et de bono in melius procedere cupientes, ac volentes omne ab eo impedimentum et omne obstaculum removeri, præsentium vobis auctoritate mandamus quatinus in eodem negotio de divino et apostolico favore et omni humano timore postposito constanter ac intrepide procedentes circa extirpandam hæreticam pravitatem, tam de Burgondia quam de Lotharingia cum omni vigilantia omnique studio laboretis, et si forsitan magister et minister generalis, aliique priores et ministri provinciales, ac custodes seu guardiani aliquorum locorum vestrorum ordinum prætextu quorumcumque privilegiorum seu indulgentiarum ejusdem sedis dictis ordinibus concessorum ac concedendorum in posterum, vobis vel vestrum alicui seu aliquibus injunxerint seu quoquo modo præceperint ut quoad tempus et quoad certos articulos certasve personas negotio supersedeatis eidem, nos vobis universis et singulis auctoritate apostolica districtius inhibemus ne ipsis obedire in hac parte vel intendere quomodolibet præsumatis. Nos etiam privilegia seu indulgentias hujusmodi ad hunc articulum tenore præsentium revocantes, omnes excommunicationis, interdicti et suspensionis sententias, si quas in vos vel vestrum aliquos hac occasione ferri contingerit, irritas prorsus decernimus et inanes. . . . Non enim aliqua eis super hujuscemodi inquisitionis negotio vobis immediate a prædicta sede commisso et committendo facultas vel jurisdictio attribuitur seu potestas. Datum Viterbii, Idus Julii, pontificatus nostri anno tertio (15 Jul. 1267).

IV.

Eugenius IV. to the Archbishop of Narbonne.

(Archives de l'Inquisition de Carcassonne.—Doat, XXXV. fol. 184.)

Eugenius episcopus, servus servorum Dei, venerabilibus fratribus Archiepiscopo Narbonensi et ejus suffraganeis Carcassonæ, Sancti Pontii Thomeriarum, Agathensi et Aletensi episcopis, salutem et apostolicam benedictionem. Scripsit nobis vestra fraternitas dilectum filium fratrem Petrum de Turelule, inquisitorem hæreticæ pravitatis in provincia Narbonensi, intendere a nobis aliqua suum officium Inquisitionis et jurisdictionem vestram tangentia petere et impetrare, supplicastisque ut eum in brevi de eo et exorbitantiis suis a jure intenderetis sedem apostolicam informare, nollemus interea quicquam prædicto in vestrum et prælatorum provinciæ præjudicium facere aut concedere; ad quæ respondentes fatemur prædictum Inquisitorem aliquando significasse justam sibi fore querimoniam

adversus nonnullos vestrum se in suo Inquisitionis officio injuste perturbantes, atque etiam pro viribus impedientes, petens sibi per nos viam et modum ostendi quibus taliter in posterum exercere possit officium, ut cum honore Dei et sui officii integritati valeret lites, jurgia, et contentiones ordinariorum effugere et declinare. Cum itaque sit nostræ intentionis prout ex officio pastoralis curæ nobis incumbere non ignoratis, et vos et ipsum Inquisitorem in vestris et suis juribus confoverc, et lites ac controversias quæ fortassis inter vos vigerent cum justitia tollere ac terminare, hortamur in Domino vestram fraternitatem ut attente considerantes quod bujusmodi Inquisitores ab ecclesia fuerint instituti ad relevandum ordinarios parte sollicitudinis incumbente illis in favorem et augmentum fidei catholicæ, enervationemque et extirpationem hæreticæ pravitatis, contenti esse velitis in hac materia dispositionibus et institutis sacrorum canonum, et ad negotium hoc hæresum quo nullum in ecclesia habetur majus, prædictis Inquisitoribus assisterc favoribus opportunis. Nam sic gratum erit nobis et summe acceptum quicquid favoris, commodi et adjumenti prædictis a fraternitatibus vestris juxta spem nostram præstabitur, ita molestias et illata eorum laudabili exercitio disturbia cum displicentia audiremus; pro bono autem concordiæ volumus ut gravaminibus propter quæ ab ipso Inquisitore per vos extitit appellatum ab eodem revocatis, lites quæ hodie inter vos pendent indecisæ sopiantur penitus et extinguantur, prout nos illas auctoritate apostolica in eventum revocationis antedictæ ad nos advocantes, tenore præsentium extinguimus, cassamus, et pro extinctis et cassatis haberi volumus et mandamus. Datum Florentiæ anno Incarnationis Dominicæ MCCCC quadragesimo primo Kaleudas Julii pontificatus nostri anno undecimo.

V.

Disabilities of Descendants of Heretics.

(Registrum curiæ Franciæ Carcassonæ.—Doat, XXXII. fol. 241.)

Noverint universi præsentes litteras inspecturi quod nos frater Guillelmus de Sancto Sequano ordinis fratrum prædicatorum, inquisitor hæreticæ pravitatis in regno Franciæ authoritate apostolica deputatus attendentes quod secundum merita personarum debent distribui officia dignitatum, et quia expedit crimina nocentium esse nota, præsertim illa per quæ extenditur ultio non solum in autores scelerum sed in progeniem dampnatorum, ideo nos ad instantiam procuratoris domini regis in senescballia Carcassonæ de infrascriptis sibi copiam fieri postulantis, ad bonorem Dei et fidei munimentum per nos ipsos exquisivimus et per discretum virum dominum Raimundum rectorem ecclesiæ de Monteclaro publicum notarium Inquisitionis nostræ perquiri et inspici fecimus diligenter in libris et actis publicis Inquisitionis prædictæ, et invenimus quod anno Domini MCC quinquagesimo sexto Guiraldus de Altarippa quondam de Graoleto qui dicitur fuisse pater Guiraldi de Altarippa servientis armorum domini regis, confessus fuit in judicio coram Domino Bernardo de Monte-Atono tunc inquisitore hæreticæ pravitatis, quod viderat hæreticos et verba eorum audiverat. Item inve-

nimus quod Lombarda uxor dicti Guiraldi, quæ dicitur fuisse mater præfati Guiraldi de Altarippa servientis armorum domini regis, coram eodem inquisitore et eodem tempore confessa fuerit quod multotiens in diversis locis vidit hæreticos et eos pluries adoravit misitque eis panem et poma et credidit eos esse bonos homines et quod posset salvari in fide eorum. Item invenimus in eisdem libris quod Raimundus Carbonelli de Graoleto, qui dicitur fuisse avunculus dicti Guiraldi servientis domini regis fuit hæreticus perfectus et per fratrem Stephanum Gastinensem et Hugonem de Boniolis tunc inquisitores hæreticæ pravitatis, et tanquam hæreticus curiæ sæculari relictus et per ministros curiæ domini regis Carcassone publice, ut hæreticus et relapsus, combustus anno Domini MCC septnagesimo sexto. De quibus omnibus de nostris libris et actis publicis extractis fideliter dicto procuratori domini regis copiam fecimus, et omnibus quorum interest per ipsum fieri volumus, non ad suggilationem vel injuriam alicujus sed propter bona quæ agit vel excipit, vel propter posteros in quos parentum præfati criminis sceleratorum proserpit infamia, ne contra constitutiones domini regis vel sanctiones canonicas ad honores vel officia publica ullatenus admittantur. In cujus rei testimonium sigillum nostrum præsentibus duximus apponendum. Datum Carcassonæ decimo septimo Kalendas Julii, anno Domini MCC nonagesimo secundo.

VI.

Minutes of an Assembly of Experts.

(Doat, XXVII. fol. 118.)

Anno Domini MCCC vicesimo octavo, indictione undecima, die Veneris in festo Stæ. Leocadiæ virginis, intitulata quinto Idus Decembris pontificatus SSmi. domini nostri Domini Joannis divina providentia papæ XXII. anno decimo tertio, venerabiles religiosi et discreti viri frater Henricus de Chamayo ordinis prædicatorum in regno Franciæ auctoritate regia et Germanus de Alanhano archipresbyter Narbonesii, rector ecclesiæ Capitistagni in civitate et diocesi Narbonensi auctoritate ordinaria, inquisitores pravitatis hæreticæ deputati, volentes in negotio fidei de consilio discretorum et peritorum procedere, convocarunt in aula seu palatio majori archiepiscopali Narbonæ dominos canonicos, jurisconsultos, peritos sæculares et religiosos infrascriptos (sequuntur nomina 42) qui omnes superius nominati juraverunt ad sancta Dei evangelia dare bonum et sanum consilium in agendis, unusquisque secundum Deum et conscientiam suam, prout ipsis a Domino fuerit ministratum et tenere omnia sub secreto donec fuerint publicata, et ibidem præstito juramento, lectis et recitatis culpis personarum infrascriptarum, petierunt præfati domini inquisitores consilium ab eisdem consiliariis quid agendum de personis prædictis, et divisim et singulariter de qualibet, ut sequitur:

Super culpa fratris P. de Arris ordinis Cartusiensis monasterii de Lupateria diocesis Carcassonensis omnes et singuli consiliarii supradicti, tam sæculares quam religiosi consilium dando concorditer dixerunt, contemplatione ordinis

sui, quod assignetur sibi pro carcere perpetuo claustrum et ecclesia monasterii supradicti, et etiam camera una, necnon et injungantur sibi certæ pœnitentiæ, sicut orationes et jejunia et alia quæ non repugnant observantiæ sui ordinis et regulæ supradictæ, et quod non puniatur in sermone publico sed in secreto, præsentibus paucis personis.

Item de personis infra proximo nominatis, auditis eorum culpis dixerunt eas judicandas fore ut sequitur:

Richardum de Narbona, nulla pœna puniendum.

Guillelmum Mariæ de Honosio arbitrarie puniendum, cruces simplices, peregrinationes minores.

Favressam matrem prædicti Guillelmi arbitrarie puniendam, sine crucibus, pœnitentias minores.

Guillelmum Cathalani seniorem, Guillelmum ejus filium, Raymundum Veysiani, Bernardum Baronis, P. Lunatii, tanquam impeditores officii, cruces et pœnitentias minores.

Guillelmum Espulgue de Capitestagno immurandum.

Perretam de Flassacho valdensem impœnitentem fore exhumandam.

P. Guillelmi Canorgue de Capitestagno immurandum.

Vincentium Rayses de Caberia mortuum, si viveret, immurandum.

Gregorium Bellonis apostatam monachum, mortuum impœnitentem, exhumandum.

Guillelmum Bocardi Bourserium de Agenno habitatorem Narbonæ, mortuum, si viveret, immurandum.

Arnaudam uxorem Pontii de Biterris de Capitestagno immurandam.

Amicam uxorem P. Gaycons, ad murum.

Habitum fuit hoc consilium anno, indictione, die, loco, et pontificatu prædictis, præsentibus Arnaldo Assaliti procuratore incursuum bæresis domini regis, testibus et notariis qui hoc prædictum consilium scripserunt, etc.

VII.

Innocent IV. Orders Inquisitors to Diminish their Retinue and Avoid Exactions.

(Archives de l'Inquisition de Carcassonne.—Doat, XXXI. fol. 116.)

Innocentius episcopus servus servorum Dei dilectis filiis inquisitoribus hæreticæ pravitatis in terris nobilis viri domini Comitis Tholosani et Albiensis constitutis salutem et apostolicam benedictionem. Cum a quibusdam intellexerimus fidedignis quod vos occasione inquisitionis vobis commissæ contra hæreticam pravitatem superfluos scriptores aliosque familiares habetis pro vestræ libito voluntatis, et graves exactiones fiunt a conversis ab eadem ad fidem et converti volentibus pravitate ad infamiam apostolicæ sedis et scandalum plurimorum, præsentium vobis auctoritate præcipiendo mandamus quatinus scriptorum et aliorum familiarium multitudinem onerosam ad necessarium numerum protinus

reduceutes, a gravibus exactionibus per quas infamia potest et scandalum generari, vos et familiam vestram taliter compescatis quod honestatis vestræ titulus conservetur illæsus, et nos discretionis vestræ prudentiam merito commendare possumus.—Datum Lugduni secundo Idus Maii, pontificatus nostri anno sexto (14 Maii, 1249).

VIII.

Abuse of the Number of Armed Familiars in Florence.

(Arch. di Firenze, Riformagioni, Arch. Diplom. XXVII.)

Bertrandus miseratione divina archiepiscopus Ebredunensis apostolicæ sedis nuncius circumspectis et religiosis viris inquisitoribus hæreticæ pravitatis qui in civitate et dioc. florentin. sunt et fuerint in futurum salutem in salutis autore. Quia quidam potestate sibi tradita abutentes et concessis a jure forma et modis debitis non utentes interdum favore seu alias concedunt aliqua ex quibus dampna proveniunt et scandala generantur, oportet talium abusus debito juris limitibus coartari. Cum igitur fidedigna relatione ad nostram audientiam sit deductum et nos fide probavimus oculata quod quidam inquisitores qui in civitate et dioc. florentin. prædictis vos in inquisitionis officio precesserint immoderatum et excessivum numerum consiliariorum notariorum et aliorum officialium ac familiarium licet non indigeruut eisdem sibi assumere curaverunt passim eisdem et aliis sub familiaritatis vel officii titulo diversis quæsitis coloribus portandi arma offensibilia et defensibilia licentiam concedendo ex quibus multa provenerunt scandala et multis data fuit occasio aliis qui arma portare non poterant offendendi. Nos juxta commissam nobis circa reformationem officii inquisitionis sollicitudinem hujusmodi scandalis et quibusvis fraudibus occurrere cupientes et volentes præfatum inquisitionis officium sic laudabiliter et feliciter servatis eidem suis privilegiis guberuari quod propterea non offendatur justitia nec ex abusu privilegiorum aliis præjudicium generetur, autoritate apostolica qua in hac parte fungimur decernimus et statuendo tenore præsentium ordinamus quod inquisitor florentinus qui est vel pro tempore fuerit possit duntaxat quatuor consiliarios seu assessores, duos notarios, et duos custodes carcerum et duodecim alios inter officiales et familiares sibi eligere et assumere et non ultra quibus possit dare licentiam arma prout consuetum est deferendi, hoc salvo quod si urgeus necessitas pro inquisitionis officio immineret, possit in hujusmodi necessitatis articulo arma portandi licentiam impertiri. Illud autem præsenti ordinationi ex superhabundanti duximus inserendum quod ne ex limitatione prædicta inquisitionis detrahatur officio et in executione ipsius dispendium patiatur potestas ac priores artium florentini teneantur prout etiam suut de jure stricti inquisitori qui est vel erit pro tempore fideles et diligentes existere et familiarios et etiam ulios cum armis omni difficultate sublata tradere quoties pro capiendis malefactoribus et suspectis et aliis officium inquisitionis tangentibus exequendis per inquisitorem hujusmodi fuerint requisiti. In quorum testimonium præsentes literas fieri fecimus et nostri sigilli appensione muniri. Dat. in Castro Scarparie florentin.

dioc. die secunda Maii sub anno Domini MCCCXXXVII. Indict. V. Pontificatus III. Domini nostri summi pontificis.

IX.

Regulations of Armed Familiars by the Council of Venice.

(Archivio di Venezia, Misti Consiglio X. Vol. XIII. p. 192; Vol. XIV. p. 29.)

1450, 19 Augusti.

Cum facta sit conscientia quod inquisitor hæreticorum qui stat Venetiis dat licentiam XII. personis portandi arma et illam vendit per pecuniam, quod non est bene factum quod XII persone pro inquisitore portent arma per civitatem quum ad capiendos hereticos datur super talibus inquisitoribus auxilium brachii secularis, videlicet per dominos de nocte et per capita, Et propterea vadit pars quod inquisitores de cetero non possint dare licentiam nisi quatuor personis tantum sicut per consuetudinem antiquam solebant, quos quatuor quilibet inquisitor faciat presentari capitibus hujus concilii ut cognita condictione personarum possint provvidere sicut fuerit opus.

De parte—14. De non—2. Non sinceri—0.

1450 (1451), 17 Februarii.

Quod ad complaceutiam Generalis minorum qui supplicavit ne inquisitori heretice pravitatis in civitate Venetiarum in suo tempore fiat novitas super custodibus et officialibus suis quos antiquitus inquisitores habuerunt. Vadit pars quod concedatur eidem quod non obstante parte capta in isto coucilio die 9 Augusti 1450 mandetur officialibus de nocte quod pro honore officii observet inquisitori consuetudinem antiquam cum hoc conditione videlicet. Quod ipsi officiales associent inquisitorem ad officium faciendum et aliter sicut fuerit opus et sicut antiquitus facicbant; et propterea dentur in nota officio de nocte et capitibus sexteriorum ut videatur si actualiter faciaut officium vel non, ita tamen quod non excedant numerum XII.

De parte—10. De non—5. Non sinceri—1.

X.

Transfer of Prisoners from Italy to France.

(Archives de l'Inquisition de Carcassonne.—Doat, XXXII. fol. 155.)

Nicholaus episcopus servus servorum Dei dilecto filio fratri Philippo ordinis fratrum predicatorum inquisitori hæreticæ pravitatis in Marchia Trevisina auctoritate sedis apostolicæ deputato salutem et apostolicam benedictionem. Significarunt nobis dilecti filii Hugo de Bouiolis et Petrus Arsini ordinis fratrum

prædicatorum, inquisitores hæreticæ pravitatis in regno Franciæ auctoritate sedis apostolicæ deputati, quod dudum in diocesi Veronensi quamplures hæretici de mandato tuo capti fuerunt et adhuc eos facis detineri captivos, quorum aliqui fore dicuntur de regno Franciæ oriundi, et unus eo in dicto regno pro episcopo hæreticorum ipsorum, secundum eorumdem hæreticorum usum habetur. Cum autem, sicut babeat eorumdem inquisitorum assertio, firma spes habeatur quod eorumdem hæreticorum dicti regni præsentia in illis partibus erit plurimum orthodoxæ fidei fructuosa, pro eo quod si contingat eorum aliquos divina gratia operante redire ad ipsius fidei unitatem, per ipsos multorum qui sunt in eodem regno prædictæ pravitatis fermento aspersi, occultata nequitia detegi poterit, et haberi plena notitia eorumdem. Nos qui tenemur exaltationem ipsius fidei totis viribus procurare, discretioni tuæ per apostolica scripta mandamus, quatinus tam illum qui, ut prædictum est, episcopus reputatur, quam alios hæreticos supradictos ejusdem regni præfatis inquisitoribus per eorum certum nuncium ad te propter hoc specialiter destinandum, qui sumptibus ministrandis ab inquisitoribus supradictis sub fida custodia bæreticos ducat eosdem, deinceps sub ipsorum inquisitorum cura et jurisdictione mansuros, prius tamen diligentius inquisitis ab eisdem hæreticis ad præfatos fratres inquisitores ut præmittitur destinandis, quæ ad utilitatem ejusdem fidei et utiliorem executionem commissi tibi officii videris inquirenda transmittas. Nos enim prædictis inquisitoribus nostris damus litteris in mandatis, ut eosdem bæreticos ad ipsos per te taliter destinandos diligenter et fideliter faciant custodiri, facturi nihilominus circa illos libere in eos commissum sibi contra hæreticos officium exequendo, prout secundum Dei honori et commodo ejusdem orthodoxæ fidei viderint expedire. Datum Romæ apud Sanctum Petrum quarto Idus Februarii, pontificatus nostri anno primo (10 Feb. 1289).

XI.

Order of Inquisitor-General to Make Transcript of Records.

(Archives de l'Inquisition de Carcassonne.—Doat, XXXII. fol. 101.)

Joannes miseratione divina Sancti Nicolai in carcere Tulliano diaconus cardinalis, religiosis viris in Christo sibi dilectis fratribus ordinis prædicatorum et minorum inquisitoribus pravitatis hæreticæ in Citramontanis partibus auctoritate sedis apostolicæ deputatis, salutem in Domino nostro. Nil majus accedit affectui quam quod fidei catholicæ puritas ubique terrarum ad Dei gloriam valeat ampliari, et macula pravitatis hæreticæ de locis illis quæ infecisse dinoscitur virtutis divinæ cooperante subsidio per nostræ ac vestra sollicitudinis ministerium penitus deleatur. Cum igitur hujusmodi cura negotii sit nobis ab apostolicæ sede commissa nos dilectorum nobis in Domino inquisitorum pravitatis ejusdem in regno Franciæ condignis desideriis annuentes, universitati vestræ auctoritate qua in hac parte fungimur, in virtute obedientiæ districte præcipiendo mandamus quatenus depositiones testium super pravitate ipsa jam receptorum a vobis vel recipiendorum in posterum, quia negotium Inquisitionis

in prædicto regno Franciæ inquisitoribus commissum eosdem contingere dinoscitur, in eo scilicet quod depositiones hujusmodi faciunt ad iustructionem sibi commissi negotii ut per eas de statu personarum præfati regni habere possunt notitiam pleniorem, eisdem vel ipsorum certo et fido nuntio ad transcribendum sine difficultatis obstaculo assignetis, ut iidem inquisitores depositionibus ipsis pro loco et tempore uti possint contra personas prædicti regni, quæ per depositiones ipsas apparebunt de heresi culpabiles vel suspectæ. Datum apud Urbem veterem, decimo quarto Kalendas Junii, anno Domini MCC septuagesima tertio, pontificatus Domini Gregorii papæ decimi anno secundo.

XII.

Bull of Alexander IV. Authorizing Inquisitors to Absolve Each Other.*

(Archives de l'Inquisition de Carcassonne.—Doat, XXXI. fol. 196.)

Alexander episcopus, servus servorum Dei dilectis filiis fratribus ordinis prædicatorum, inquisitoribus hæreticæ pravitatis in Tholosa et aliis terris nobilis viri A. comitis Pictavensis, salutem et apostolicam benedictionem. Ut negotium fidei valeatis liberius promovere, vobis auctoritate præsentium indulgemus ut si vos excommunicationis sententiam et irregularitatem incurrere aliquibus casibus ex humana fragilitate contingat vel recolatis etiam incurrisse, quia propter vobis injunctum officium ad priores vestros super hoc recurrere non potestis, mutuo vobis super hiis absolvere juxta formam ecclesiæ, ac vobiscum auctoritate vestra dispensare possitis, prout in hoc parte prioribus ab apostolica sede concessum est. Nulli ergo omnino hominum liceat etc. . . . Datum Anagniæ Nonis Julii pontificatus nostri anno secundo (7 Jul. 1256).

XIII.

Case of False Witness.

(Doat, XXVII. fol. 204.)

Bernardus Pastoris de Marcelhano mercator, habitator Pedenacii diocesis Agathensis, sicut per ipsius confessionem, sub anno Domini MCCCXXIX., mense Maii XIX die factam et processum inde habitum apparet, veniens spontanea voluntate, non vocatus nec citatus per episcopum nec inquisitorem, sed per aliquos complices suos inductus, in domo episcopali Biterris, ubi tunc nos, frater Henricus de Chamayo, ordinis predicatorum, inquisitor Carcassonne, eramus, quamdam papiri cedulam scriptam nobis presentari et tradi per aliquos de familiaribus dicti Domini Episcopi procuravit et fecit, cujus tenor sequitur in

*It was this bull which enabled inquisitors to administer torture. A date several years later has usually been assigned to it.

hec verba: Significatur religiose majestati domini inquisitoris hereticе pravitatis in seneschallia Carcassonue, seu cjus locumtenentis, quod cum eo anno Beggnini heretici et de heresi dampnati fuissent combusti justa castrum de Pedenaco, mandato domini nostri regis et domini Inquisitoris, mandato summi Pontificis et domini Episcopi Agathensis; hinc est quod quidam perverso spiritu imbutus, adherens heretice pravitati, perversum animum suum ad fidem heresis perversis operibus ac hereticis et dampnosis suasionibus immittens, eorum perversa opera sequendo, quadam die post combustionem hereticorum et specialiter post combustionem cujusdam vocati Formayro et ejus sociorum, Raimundus Barseti, notarius, catholice fidei spernens doctrinam, et mandata Apostolica et domini nostri regis, et dicti domiui Agathensis Episcopi, si potuisset, impugnando, et, quod deterius est, si adherentes habuisset, contra fidem Catholicam infringendo, accessit ad locum ubi dictus Formayro et alii superius nominati sunt combusti, et flexis genibus tanquam adoraret eorum nequitiam, accepit de ossibus dictorum combustorum hereticorum et de heresi dampnatorum et pro heresi, justo mandato domiui nostri summi pontificis ac domini nostri regis legitime combustorum, et ipsa ossa in pallio sive sindone involvens cum multa reverentia ac si essent reliquie sanctorum, accepit ac secum asportavit, et cum per quosdam supervenientes peteretur quid faciebat ibi ipse Raimundus respondit: "Ego colligo de ossibus istorum combustorum, vere martirum, quia pro certo ipsi erant saniori's fidei quam illi qui eos fecerant comburi, et de hoc habeo fidem meam, et ipsi erant optimi Christiani, et cum magno prejudicio et contra jus sunt combusti, et credo eos martires et eorum fidem laudo et credo quod sunt in Paradiso." Sic tunc testes infrascripti ejus vesaniam et incredulitatem ac etiam hereticam pravitatem increpantes, dixerunt dicto Raimundo: "Ut quid talia facitis et talia dicitis ac asseritis rebellionem Catholice fidei, quia certe nos credimus quod quidquid per sanctam Ecclesiam fit, digne et juste fiat, quia si non essent reperti heretici et pro heresi dampnati, jam non devinissent ad taliam sententiam." Ad quod respondens dictus Raimundus Barseti dixit hec verba vel similia: "Deberent teneri pro bonos christianos et veros martires, et hic non possem non credere quod non sint boni christiani," et nihil aliud posset sibi dari intellegi contra suam opinionem predictam. Quare supplicatur vestre Magnifice Diguitati ut ex vestro officio super premissis per vos adhibeatur remedium opportuuum, et ad informandum vos nominantur testes, Imbertus de Ruppefixa, domicellus, Joannes Maurendi. Qua quidem cedula ut premittiturprcsentata et per nos recepta, dictum Bernardum ad nostram presentiam fecimus evocari, qui in judicio constitutus, juratus de veritate dicenda postmodum recognovit se fecisse fieri et dictari eamdem per magistrum Guillelmum Lombardi clericum et procuratorem Pedenacii habitatorem et scribi per Petrum clericum magistri Arnaudi Vasconis notarii dicti loci ad instantiam et instructionem Guillelmi Masconis de Pedenacio apotecarii, qui ipsam cedulam seu substantiam facti super quo formata fuit, conscientibus aliquibus aliis complicibus inferius nominandis primitus scripsit manu propria in vulgari, et postmodum eam sic in vulgari scriptam fecerunt formari et transcribi in forma predicta. Vocatis autem Joanne Maurendi, Guillelmo Masconis, Imberto de Ruppefixa, Durando de Podio, Guil-

lelmo de Casulis, a quibus idem Bernardus primo asserebat se audivisse narrari factum predictum, in dicta cedula expressum, et quod a principio, ut dixit, credebat esse verum, et coram nobis, Inquisitore predicto, uno post alium singulariter in judicio constitutis ac medio juramento interrogatis, si sciebant factum, prout in ipsa cedula continebatur fuisse verum, et primo respondentibus se nihil scire de ipso facto, nisi per auditum dici alienum, excepto dicto Joanne Maurendi, qui asseruit ipsum factum fore verum et deposuit de scientia et de visu, tandem prefatis Joanne Maurendi et Imberto de Ruppefixa in dicti Bernardi presentia affroutatis, et in judicio constitutis, et de veritate dicenda juratis, negaverunt unus post alium se dixisse predicto Bernardo factum predictum, et aliquid scire de ipso facto, excepto dicto Imberto qui, cum dicto Joanne Maurendi, finaliter asscruit se scire et vidisse, prout in culpa sua inferius postea recitanda plenius est expressum. Quibus omnibus premissis sic actis, habita snspicione per nos, Inquisitorem predictum, ex verisimilibus conjecturis et circumstantiis in eisdem tune notatis, de consilio discretorum ibi presentium, eosdem Bernardum, Joannem, Guillelmum et Imbertum in carcere fecimus detineri; qui omnes sic detenti et in carcere reclusi, per paucos dies, apud Biterrim fuerunt auditi, interrogati et super premissa cedula plenius examinati, tandemque post multas exhortaciones, interrogationes et requisitiones eis factas, falsitatem et machinationem per eos factam inimicabiliter et dolose contra dictum Raimundum aperuerunt, unus post alium, non tamen ex toto nec clare donec fuerunt in dicto carcere per dies multos detenti et apud Carcassonam adducti. Dictus tamen Imbertus fuit primus qui predictam falsitatem et machinationem apperuit et detexit, non tamen ex integro donec omnes predicti quatuor, scilicet Bernardus Pastoris, Joannes Maurendi, Imbertus et Guillelmus fuerunt apud Carcassonam adducti et in ipso muro detenti. Demum vero dictus Bernardus post multas exhortaciones, inductiones et deductiones, effusis lacrymis, modum et seriem totius tractatus et machinationis predicte, falsitatis et cedule fabricationis et consentie in eis, corde gemebundo, detexit ac confessus fuit, quod, licet a principio dixisset se credere contenta in ipsa cedula fore vera, prout ab ipsis Joanne Maurendi, Guillelmo Masconis, et Imberto predictis se audivisse asseruerat, finaliter tamen bene perpendit ex dictis predictorum et ex circumstanciis in dicto tractatu habitis, et firmiter credidit quod predicta omnia in ipsa cedula contenta prout contra dictum Raimundum Berseti proposita erant non essent vera sed falsa et eidem Raimundo imposita falso et mendaciter, per malevolentiam et inimicitiam quam ipse et alii predicti et quidam alii de Pedenacio quos nominat, querebant vel habebant contra vel apud istum Raimundum Berseti ex causas quas in sua confessione expressit, et hoc etiam credebat et perpendebat antequam redderet cedulam predictam, sicut dixit, quodque in itinere dum ipse qui loquitur et dictus Joannes Maurendi ibant apud Biterrim ad redendam cedulam predictam dixit ipse loquens dicto Joanni: "Pectus multum me sollicitat non reddere istam cedulam," et dictus Joannes Maurendi respondit quod bene redderet eam nisi esset ibi pro teste scriptus; et hoc audito ipse Bernardus respondit: "Melius est quod estis testes et ego ipsam presentabo, quia quando sunt plures testes melius probabitur factum predictum." Item, quando fuerunt Bi-

terrim, ipse Bernardus Pastoris fecit dictum Joannem Maurendi recedere et reverti postmodum, ne, si videretur per dominum inquisitorem esset suspectus quod se ingereret in testem, non vocatus nec citatus, et postea fecit eum cum aliis citari, et eisdem citatis, ministravit expensas in cena, non tamen de pecunia sua aliorum consentientium in predictis. Item, quamdam informationem seu inquestam que fiebat in curia regia seu vicarii regii Bitterris contra dictum Raimundum Berseti super quibusdam casibus officium Inquisitionis minime tangentibus, tam ad expensas proprias quam aliorum, prosequebatur pro viribus et ducebat in odium et malum dicti Raimundi Berseti, non obstanti quod crederet contenta in ipsa cedula non esse vera, et quod etiam dixisset Joanni Maurendi et Guillelmo Mascon predictis se non credere ea fore vera nec adhibere fidem dictis eorumdem, et quod etiam sibi respondissent: "Vos, si est verum aut non, solus debetis ferre testimonium." Interrogatus quare ergo reddebat dictam cedulam ex quo sciebat eam continere falsitatem, respondit quod propter suum malum et suam ruinam et quod volebat quod propter illa ipse Raimundus Berseti haberet inde malum et dampnum. Interrogatus quare credebat inde malum eventurum dicto Raimundo Berseti, si ipsa cedula vel contenta in ea probarentur, respondit se nescire modum curie domini Inquisitoris, tamen sciebat, ut dixit, eadem contenta in ipsa cedula esse hereticalia, et quod dictus Raimundus propter hoc capcretur et in carcere poneretur et detineretur et postmodmn remitteretur domino Episcopo Biterrensi et quod ipse episcopus posset de ipso Raimundo facere inquestam, sciens tum, ut dixit, quod dictus dominus Episcopns portabat tunc eidem Raimundo Berseti malam voluntatem, et quod non fecisset illi nisi malum et dampnum, credens tunc, ut dixit et desiderans quod ipse Raimundus condempnaretur ad perdendum officium suum, scilicet notariatus, et quod perderet maguam vel majorem partem bonorum suorum, et quod hoc sibi dixerant aliqui de complicibus predictis et aliis, quod talia erant in dicta cedula que, si probarentur, et causa bene duceretur, dictus Raimundus perderet magnam partem bonorum suorum committeus predicta. Dixit se penitere de predictis.

XIV.

Hopelessness of Defence.

(MSS. Bibl. Nat., fonds latin, nouvelles acquisitions, 139, fol. 33.)

Anno quo supra XIIII Kal. Februarii (19 Jan. 1252) P. Morret comparuit coram magistris inquisitoribus apud Carcassonam et requisitus si volebat se deffendere de biis que in instructione inventa sunt contra eum et si volebat ea recipere dixit quod non. Item requisitus dixit quod habebat inimicos, videlicet B. de Beo et sorores ejus pro eo quod habuit causam cum eis, tamen postmodum pacificatum fuit inter eos. Item B. Scguini est inimicus suus. Item Savrina est inimica sua quia ipsa dicebat quod rem habuerat cum filia sua. Et requisitus si aliud volebat dicere vel proponere ad deffensionem suam dixit se nichil aliud scire, et fueruut sibi publicata dicta testium in inquisitione contra ipsum inita in

præsentia domini episcopi et dictorum inquisitorum. Et facta publicatione iterum fuit requisitus semel, secundo et tertio si volebat aliquid aliud dicere ad deffensionem suam vel aliquas legitimas exceptiones proponere, dixit quod non, nisi sicut dixerat; et fuit sibi assignata dies super hiis que inventa sunt contra eum in inquisitione et sibi publicatis in presentia prædictorum . . . ad audiendam deffinitionem suam in octava Sti Vincentii (29 Jan.) in burgo. (Registre de l'Inquisition de Carcassonne.)

XV.

Bull of Gregory XI. Releasing a "Pexariach."

(Doat, XXXV. fol. 134.)

Gregorius episcopus servus servorum Dei dilecto filio inquisitori heretice pravitatis in partibus Carcassonensibus, auctoritate apostolica deputato, salutem et apostolicam benedictionem. Humilibus supplicum votis libenter anuuimus eaque favore prosequimur opportuno; sane petitio pro parte Bidonis de Podio Guillermi, laici, Burdegalensis diocesis, nobis nuper exhibita, continebat quod ipse qui dudum cum nonnullis dampnatis societatibus per regnum Francie discurrentibus, qui de Pexariacho nuncupabantur, et de heresi fuerunt vehementer suspecte, per heresim hujusmodi quam secundum quod testes contra eum super hoc producti deposuerunt, confessus, extiterat ad perpetuum carcerem condempnatus et in eo ex tunc continue stetit, suam penitentiam humiliter faciendo, et vere penitens et a predicta heresi discedens ad gremium et unitatem sancte matris ecclesie redire desiderat quamplurimum et affectat; quodque illi qui eum propter hujusmodi heresim auctoritate apostolica condemnarunt, liberandi eum ab hujusmodi carceribus, quamvis sit contritus et redire velit, ut perfertur, nullam habent potestatem, quare pro parte dicti Bidonis nobis fuit humiliter supplicatum ut providere ei in premissis de benignitate apostolica dignaremur; nos, hujusmodi supplicationibus inclinati, discretioni tue prefatum Bidonem si in judicio conscientie tue tibi videatur, quod ad hoc ipsius Bidonis merita suffragantur, liberandi a predicto carcere et sibi alias penitentias salutares auctoritate apostolica imponendi, hujusmodi heresi per eum primitus abjurata, tibi tenore presentium concedimus facultatem. Datum apud Pontem-sorgie, Avenionensis diocesis, secundo Idus Maii, Pontificatus nostri anno primo (14 Maii, 1371).

XVI.

Monition of the Archbishop of Narbonne in 1329 to Protect Penitents wearing Crosses.

(Doat, XXVII. fol. 107.)

Quoniam illis qui pœnitentiam sibi impositam proper crimen hæresis agunt improperia obloquentium vel detrahentium quandoque dant materiam retrahendi

a via veritatis et pœnitentias facere omittendi, potissime quando de crucibus vel de pœnitentiis aliis sibi impositis irrisiones et detractiones eis inferuntur, idcirco nos Archiepiscopus, Episcopi, Inquisitores et Commissarii antedicti volentes talium obloquentium detrahentium et deridentium verbositatibus et malitiis obviare, et eos pœnitentiatos in suo bono proposito confovere, monemus canonice semel secundo et tertio ac peremptorie omnes et singulos utriusque sexus cujuscumque conditionis aut status existant et nihilominus in virtute sanctæ obedientiæ eisdem auctoritate apostolica inhibemus ne quis cujuscumque conditionis aut status existat audeat vel præsumat dictis personis pœnitentiatis vel crucesignatis occasione prædicti criminis improperium dicere vel dictum crimen retrahere vel quomodolibet imputare, intimantes omnibus tenore præsentis edicti quod eisdem detractoribus improperatoribus irrisoribus et oblocutoribus, si qui fuerint et de transgressione hujus edicti nostri legitime constiterit, cruces similes imponemus et alias procedemus contra eos secundum quod de jure et provincialibus conciliis prælatorum extiterit procedendum. Monemus insuper dictos crucesignatos et pœnitentiatos ut dictas cruces eis impositas humiliter continuo infra domum et extra portent, et sine ipsis crucibus infra domum vel extra ullatenus incedant, intimantes eisdem quod si eorum aliqui sine dictis crucibus prominentibus et apparentibus infra domum vel extra incedere præsumpserint ipsos tanquam hæreticos et impœnitentes reputabimus et eos puniemus animadversione debita prout in Valentino et Biterrensibus conciliis est ordinatum.

XVII.

Oath Administered to Jailor of Inquisition.

(Archives de l'Inquisition de Carcassonne.—Doat, XXXII. fol. 125.)

Anno Domini MCC octuagesimo secundo, sexta feria (vel) Sabbato infra octavas Apostolorum Petri et Pauli (3 Julii, 1282), fuit injunctum et districte mandatum et per juramentum Radulpho custodi immuratorum et Bernardæ uxori suæ per fratrem Joannem Galandi inquisitorem, in præsentia fratris P regis prioris, fratris Joannis de Falgosio et fratris Archembaudi quod de cætero non teneat scriptorem aliquem in muro nec equos, nec ab aliquo immuratorum mutuum recipiant nec donum aliquod. Item nec pecuniam illorum qui in muro decedunt, retineant, nec aliquid aliud, sed statim inquisitoribus denuncient et reportent. Item quod nullum incarceratum et inclusum extrabat de carcere. Item quod immuratos pro aliqua causa extra primam portam muri nullo modo extrahat, nec domos intrent nec cum eo comedant. Item nec servitores qui deputati sunt ad serviendum aliis occupent in operibus suis, nec eos nec alios mittant ad aliquem locum sine speciali licentia inquisitorum. Item quod dictus Radulphus non ludat cum eis ad aliquem ludum, nec sustineat quod ipsi inter se ludant, et si in aliquo de prædictis inveniantur culpabiles ipso facto incontinenter de custodia muri perpetuo sint expulsi. Actum coram prædicto inquisitore in testimonio prædictorum et mei Pontii præpositi notarii, qui hæc scripsi.

XVIII.

Royal Letters Concerning the Confiscations at Albi.

(Doat, XXXIV. fol. 131.)

Universis presentes litteras inspecturis, Petrus Textor, notarius Domini Regis, tenens locum nobilis viri domini Raynaldi de Nusiacho, domiui nostri regis militis, ejusque vicarii Albie et Albigesii, salutem et presentibus dare fidem. Noveritis nos vidisse, teuuisse et diligenter inspexisse quosdam patentes litteras excellentissimi principis et domini clare memorie Sancti Ludovici Dei gratia Francorum regis, ejus sigillo cereo viridi et filis sericis viridibus et rubeis in pendenti sigillatas, inter cetera continentes quoddam capitulum cujus de verbo ad verbum tenor sequitur: "In hunc modum est sciendum quod immobilia que nobis et successoribus nostris advenient de heresibus et faidamentis hereticorum debemus nos et successores nostri et tenemur vendere vel alienare infra annum, talibus personis que facient episcopo et ecclesie Albiensi et successoribus suis servicium et alia que tenebantur facere eis veteres possessores pro rebus iisdem; si vero nos vel successores nostri non vendiderimus vel alienaverimus infra annum immobilia hujusmodi, episcopus Albiensis vel successores sui in secundo anno et in tertio accipiet auctoritate propria illa immobilia et possidebit et faciet fructus suos, et si nos vel successores nostri infra tertium annum non vendiderimus vel alienaverimus predicta ut dictum est, episcopus Albiensis et successores sui ex tunc habeant et retineant auctoritate propria possessionem et proprietatem omnium predictorum pleno jure." In cujus visionis et inspectionis testimonium, nos dictus locumtenens dicti domini vicarii sigillum autenticum curie Albie domini nostri regis huic presenti vidimus in pendenti duximus apponendum. Datum Albie, die Veneris post festum beati Vincentii Martyris, anno Domini MCCCIII. (23 Januarii, 1304).

Philippus Dei gratia Francorum rex senescballo Tholosano vel ejus locumtenenti salutem. Ex parte dilecti et fidelis noster episcopi Albiensis nobis fuit expositum quod super incursibus et faidimentis condemnatorum de heresi, inter Sanctum Ludovicum avum nostrum et dictum episcopum quedam ordinatio facta fuit, quod nos medietatem bonorum immobilium ipsorum condemnatorum ad manum nostram devenientium tenemur extra manum nostram ponere infra annum, et si infra primum et secundum annum dicta bona non fuerint vendita, idem episcopus in tertio anno dictorum bonorum fructus facit suos, et si bona hujusmodi condemnatorum in tertio anno vendita non fuerint, in quarto anno tam in possessione quam in proprietate dictus episcopus bonorum ipsorum efficitur dominus in solidum, et habet idem episcopus electionem dicta bona retinendi pro pretio pro quo alii venderentur, prout in litteris inde confectis et sigillo regio in cera viridi sigillatis dicitur plenius contineri, et quod gentes et nonnulli officiarii vestri seneschallie vestre et quidam alii dictam ordinationem que retroactis temporibus servata fuit, infringunt et infringere ac contra eam venire nituntur indebite et de novo; quare mandamus vobis quatinus si, vocatis procuratore nostro et aliis evocandis, vobis constiterit ita esse, dictam ordinationem

juxta dictarum litterarum continentiam faciatis ratione previa firmiter observari, ea que contra ipsius ordinationis tenorem in dicti episcopi prejudicium indebite et de novo facta fuisse inveneritis ad statum debitam taliter reducentes quod super hoc ad nos non reperitur querela. Actum apud Novum Mercatum, die decima septima Augusti, anno Domini MCCCVI.

(Doat, XXXV. fol. 94.)

Philippus Dei gratia Francorum rex, Tholose et Carcassoue Seneschallis aut eorum locumtenentibus salutem. Exposuerunt nobis nostri super incursibus heresis senescalli Carcassone et episcopi Albiensis procuratores quod, cum incursus heresis civitatis Albie et districtus ejusdem ad nos et ad dictum episcopum equis partibus pertineant, nonnulliique dicte civitatis pro heresis crimine fuerint condempnati, et per hujusmodi condempnationem bona ipsorum nobis et dicto episcopo confiscatn; nihilominus tamen nostri et episcopi procuratores predicti debita que per nonnullas personas diversorum locorum dictis condempnatis debebautur, quorum obligationes in dicta civitate celebrate fuerunt et ibidem exsolvi promisse, voluerunt exigere et nostris et episcopi, ut decet, rationibus applicare, quidam barones, nobiles et prelati quibus dicti debitores sunt subditi, nitentes dicta debita per dictos suos subditos contracta, sibi applicare, dicentes quod ad eos pertinet confiscatio ipsorum debitorum, dictos procuratores in exactione debitorum hujusmodi impedire nituntur indebite, cum in dicta civitate contracta et solvi promissa, ut predicitur, fuerint, sicut dicunt: quare mandamus vobis et vestrum cuilibet, ut pertinebit ad eum, quatinus, si vocatis evocandis, summarie et de plano constiterit de premissis, dictos barones nobiles et prelatos ab impedimento predicto opportunis remediis desistere compellentes, predicta talia debita per dictos procuratores pro nobis et dicto episcopo levari et exigi, et debitores ad ea solvendum compelli permittatis et faciatis, ac ipsa exacta nobis et dicti episcopi rationibus applicari; et cum vos propter debatum hujusmodi de predictis debitis plura per manum nostram ut superiorem, levari et exigi fecisse dicamini, de quibus ipse episcopus partem ipsum contingentem non habuit, ut dicit; si premissa vera sint, de hac parte episcopum ipsum contingente, eidem expeditionem fieri faciatis. Datum Parisius, decima sexta die Martii, anno Domini MCCCXXIX.

XIX.

Gift to Inquisitor from the Confiscations.

(Doat, XXXI. fol. 171.)

Alfonsus filius regis Francie, Pictavensis et Tholosanus comes, universis presentes litteras inspecturis salutem in Domino. Notum facimus quod nos libero et pie concedimus et donamus Egidio clerico, inquisitori de heresi in partibus Tholose de cujus servitio nos laudamus, intuitu pietatis, centum solidos Tholosa-

nos annui redditus, in terra Raimundi de Vaure, militis, diocesis tholosane, sita in territorio Sancti Felicis et in feodo, que terra devenit ad nos incnrsa pro crimine heretice pravitatis, tenenda ab eodem et etiam possidenda quamdiu vixerit pacifice et quiete ita tamen quod post ejus decessmn ad nos seu successores nostros libere revertatur, et si inveniretur quod plus valeret tempore date presentium litterarum, illud non intelligimus concessisse nec donasse, ita tameu quod illam terram vel redditum alieuare non possit sine nostra licentia speciali. In cujus rei testimonium presentibus litteris sigillum nostrum duximus apponendum, salvo jure quolibet alieno. Aetum apud hospitale juxta Corbolium, anno Domini MCCLI., mense Julii.

XX.

Charles of Anjou's Insistence as to Confiscated Property.

(Archivio di Napoli, Anno 1272, Reg. 15, Lettera C, fol. 77.)

Scriptum est seneschallo Provincie etc. Olim vicario et subvicario quandam Massilie dedisse dicimur in mandatis ut cum maria Roberta de Massilia mulier accusata de crimine beresis antequam ad carcerem occasione predicte criminis finaliter condempnaretur quamdam domum suam predicti criminis occasione ad nostram curiam legitime devolvendam vendiderit fraudulenter, ipsi vel eorum alter inquirerent de premissis diligentius veritatem, et si rem invenirent ita esse dictam domum ad opus nostre curie revocantes facerent ipsam publice subastari, rescripturi uobis quantum de ea poterat iuveniri : ipsi vero mandatum nostrum in hac parte ducentes penitus in contemptum id facere non curarunt. Unde nos presenti vicario et subvicario Massilie sub obtentu gratie nostre districte precipimus ut ipsi vel alter eorum super premissis inquisita diligenter veritate si eamdem domum invenerint ad nostram curiam occasione hujusmodi pertinere ipsam ad opus ipsius curie nostre revocantes ipsam subastari faciant rescripturi nobis quantum de ea poterit inveniri. Quia tamen ipsum negotium plurimum nobis cordi existit, volumus et fidelitati tue precipiendo mandamus quatenus in premissis committi non patiatis negligentiam vel defectum, et si forsan procurator curie nostre in provincia occupatus aliis hiis interesse nequiverit alium qui degat Massilie statuas ut executioni predictorum omnium intersit prout de jure fuerit et utilitati nostre curie videatur expedire. Datum Capue XIIII. Januarii prime indictionis.

(On the next following folio is a similar letter addressed to the viguier and sous-viguier.)

End of Vol. I.

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A HISTORY OF THE INQUISITION OF THE MIDDLE AGES

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A History of the Inquisition of the Middle Ages

Volume 2

Henry Charles Lea

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A HISTORY OF THE INQUISITION

VOL II

A HISTORY OF

THE INQUISITION

OF

THE MIDDLE AGES

BY

HENRY CHARLES LEA

AUTHOR OF

"AN HISTORICAL SKETCH OF SACERDOTAL CELIBACY," "SUPERSTITION AND FORCE,"

"STUDIES IN CHURCH HISTORY"

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THE INQUISITION.

BOOK II.

THE INQUISITION IN THE SEVERAL LANDS OF CHRISTENDOM.

CHAPTER I.

LANGUEDOC.

The men who laid the foundations of the Inquisition in Languedoc had before them an apparently hopeless task. The whole organization and procedure of the institution were to be developed as experience might dictate and without precedents for guidance. Their uncertain and undefined powers were to be exercised under peculiar difficulties. Heresy was everywhere and all-pervading. An unknown but certainly large portion of the population was addicted to Catharism or Waldensianism, while even the orthodox could not, for the most part, be relied upon for sympathy or aid. Practical toleration had existed for so many generations, and so many families had heretic members, that the population at large was yet to be educated in the holy horror of doctrinal aberrations. National feeling, moreover, and the memory of common wrongs suffered during twenty years of bitter contest with invading soldiers of the Cross, during which Catholic and Catharan had stood side by side in defence of the fatherland, had created the strongest bonds of sympathy between the different sects. In the cities the magistrates were, if not heretics, inclined to toleration and jealous of their municipal rights and liberties. Throughout the country many powerful nobles were avowedly or secretly heretics, and Raymond of Toulouse himself was regarded as little better than a

heretic. The Inquisition was the symbol of a hated foreign domination which could look for no cordial support from any of these classes. It was welcomed, indeed, by such Frenchmen as had succeeded in planting themselves in the land, but they were scattered, and were themselves the objects of detestation to their neighbors. The popular feeling is voiced by the Troubadours, who delight in expressing contempt for the French and hostility to the friars and their methods. As Guillem de Montanagout says: "Now have the clerks become inquisitors and condemn men at their pleasure. I have naught against the inquests if they would but condemn errors with soft words, lead the wanderers back to the faith without wrath, and allow the penitent to find mercy." The bolder Pierre Cardinal describes the Dominicans as disputing after dinner over the quality of their wines: "They have created a court of judgment, and whoever attacks them they declare to be a Waldensian; they seek to penetrate into the secrets of all men, so as to render themselves dreaded."*

The lands which Raymond had succeeded in retaining were, moreover, drained by the enormous sums exacted of him in the pacification. To enable him to meet these demands he was authorized to levy taxes on the subjects of the Church, in spite of their immunities, and this and the other expedients requisite for the discharge of his engagements could not fail to excite widespread discontent with the settlement and hostility to all that represented it. That it was hard to extort these payments from a population exhausted by twenty years of war is manifest when, in 1231, two years after the treaty, the Abbey of Citeaux had not as yet received any part of the two thousand marks which were its share of the plunder, and it was forced to agree to a settlement under which Raymond promised to pay in annual instalments of two hundred marks, giving as security his revenues from the manor of Marmande.†

The Inquisition, it is true, was at first warmly greeted by the Church, but the Church had grown so discredited during the

* Diez, Leben und Werke der Troubadours, pp. 450, 576.—Millot, Hist. Littéraire des Troubadours, III. 244–50.

† Teulet, Layettes, II. 185, 226–8.

In 1239 we find Raymond asking for six months' delay in the payment of one of the instalments (Ib. p. 406).

events of the past half-century that its influence was less than in any other spot in Christendom. Even in Aragon the Council of Tarragona, in 1238, felt itself compelled to decree excommunication against those who composed or applauded lampoons against the clergy. The abuse of the interdict had grown to such proportions that Innocent IV., in 1243, and again in 1245, was obliged to forbid its employment throughout southern France, in all places suspected of heresy, because it afforded to heretics so manifold an occasion of asserting that it was used for private interests, and not for the salvation of souls. During the troubles which followed after the crusade of Louis VIII. the bishops had taken advantage of the confusion to seize many lands to which they had no claim, and this involved them in endless quarrels with the royal fisc in the territories which fell to the king, while in those which remained to Raymond, the pious St. Louis was forced to interfere to obtain for him a restoration of what they obstinately refused to surrender. The Church itself was so deeply tainted with heresy that the faithful were scandalized at seeing the practical immunity enjoyed by heretical clerks, owing to the difficulty of assembling a sufficient number of bishops to officiate at their degradation, and Gregory IX. felt it necessary, in 1233, to decree that in such cases a single bishop, with some of his abbots, should have power to deprive them of holy orders and deliver them to the secular arm to be burned—a provision which he subsequently embodied in the canon law. Innocent IV., moreover, in 1245, felt called upon to order his legate in Languedoc to see that no one suspected of heresy was elected or consecrated as bishop. On the other hand, priests who were zealous in aiding the Inquisition sometimes found that the enmities thus excited rendered it impossible for them to reside in their parishes, as occurred in the case of Guillem Pierre, a priest of Narbonne, in 1246, who on this account was allowed to employ a vicar and to hold a plurality of benefices. About the same time Innocent IV. felt obliged to express his surprise that the prelates disobeyed his repeated commands to assist the Inquisition; he has trustworthy information that they neglect to do so, and he threatens them roundly with his displeasure unless they manifest greater zeal. Bernard Gui, indeed, speaks of the bishops who favored Count Raymond as among the craftiest and most dangerous enemies of the inquisitors. The natural antagonism

between the Mendicants and the secular clergy was, moreover, increased by the pretension of the inquisitors to supervise the priesthood and see that they performed their neglected duty in all that pertained to the extension of the faith. That under such circumstances the Dominicans employed in the pious work should suffer constant molestation scarce needs the explanation given by the pope that it was through the influence of the Arch Enemy.*

Another serious impediment to the operations of the Inquisition lay in the absence of places of detention for those accused and of prisons for those condemned. We have already seen how the bishops shirked their duty in providing jails for the multitudes of prisoners until St. Louis was obliged to step in and construct them, and during this prolonged interval the sentences of the inquisitors show, in the number of contumacious absentees after a preliminary hearing, how impossible it often was to retain hold of heretics who had been arrested.†

To undertake, in such an environment, the apparently hopeless task of suppressing heresy required men of exceptional character, and they were not wanting. Repulsive as their acts must seem to us, we cannot refuse to them the tribute due to their fearless fanaticism. No labor was too arduous for their unflagging zeal, no danger too great for their unshrinking courage. Regarding themselves as elected to perform God's work, they set about it with a sublime self-confidence which lifted them above the weakness of humanity. As the mouthpiece of God, the mendicant friar, who lived on charity, spoke to prince and people with all the awful authority of the Church, and exacted obedience or punished contumacy unhesitatingly and absolutely. Such men as

---

* Concil. Tarraconens. ann. 1238 c. 11 (Mart. Ampl. Coll. VII. 134). — Ripoll I. 120, 145, 165.—Potthast No. 9452, 11092, 11094, 11515.—Vaissette, III. Pr. 365. —Teulet, Layettes, II. 262. — Arch. des Frères Prêcheurs de Toulouse (Doat, XXXI. 19).—C. 1 Sexto v. 2.—Raynald. ann. 1243, No. 30.—Arch. de l'Inq. de Carc. (Doat, XXXI. 69). — Bern. Guidon. de Trib. Grad. Prædicat. (Bouquet, XXI. 739).—Practica super Inquisit. (MSS. Bib. Nat., fonds latin, No. 14930, fol. 224).

When Cardinal Wolsey sought to reform the English Church he found the same difficulty in obtaining bishops to degrade clerical criminals, and he obtained from Clement VII. the same remedy (Rymer, XIV. 239).

† Coll. Doat, XXI. 149, 153, 156, 158.—MSS. Bib. Nat., fonds latin, No. 9992.

Pierre Cella, Guillem Arnaud, Arnaud Catala, Ferrer the Catalan, Pons de Saint-Gilles, Pons de l'Esparre, and Bernard de Caux, bearded prince and prelate, were as ready to endure as merciless to inflict, were veritable Maccabees in the internecine strife with heresy, and yet were kind and pitiful to the miserable and overflowing with tears in their prayers and discourses. They were the culminating development of the influences which produced the Church Militant of the Middle Ages, and in their hands the Inquisition was the most effective instrument whereby it maintained its supremacy. A secondary result was the complete subjugation of the South to the King of Paris, and its unification with the rest of France.

If the faithful had imagined that the Treaty of 1229 had ended the contest with heresy they were quickly undeceived. The blood-money for the capture of heretics, promised by Count Raymond, was indeed paid when earned, for the Inquisition undertook to see that this was done, but the earning of it was dangerous. Nobles and burghers alike protected and defended the proscribed class, and those who hunted them were slain without mercy when occasion offered. The heretics continued as numerous as ever, and we have already seen the fruitless efforts put forth by the Cardinal Legate Romano and the Council of Toulouse. Even the university which Raymond bound himself to establish in Toulouse for the propagation of the faith, though it subsequently performed its work, was at first a failure. Learned theologians were brought from Paris to fill its chairs, but their scholastic subtleties were laughed at by the mocking Southrons as absurd novelties, and the heretics were bold enough to contend with them in debate. After a few years Raymond neglected to continue the stipends, and for a time the university was suspended.*

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* Practica super Inquisit. (MSS. Bib. Nat., fonds latin, No. 14930, fol. 224).—Guill. Pelisso Chron. (Ed. Molinier, Anicii, 1880, pp. 6, 15).—Epistt. Sæcul. XIII. T. I. No. 688 (Monument. Hist. German.).—Bern. Guidon. Vit. Gregor. PP. IX. (Muratori S. R. I. III. 573).

One of the complaints made by Gregory IX. against Raymond, in 1236, was that he had neglected to pay the salaries of the professors, and that the school of Toulouse was dissolved (Teulet, Layettes, II. 315). In 1239, however, a receipt in full for them was exhibited to the papal legate (Ib. p. 397), and in 1242, when Raymond was under peril of death in the Agenois, his chief physician was Loup of Spain, the professor of medicine in the University (Ib. p. 466).

The most encouraging feature of the situation, one, indeed, full of promise, was the steady progress of the Dominican Order. It had outgrown the modest Church of St. Romano, bestowed upon it by Bishop Foulques; and in 1230 the piety of a prominent burgher of Toulouse, Pons de Capdenier, provided for it more commodious quarters in an extensive garden, situated partly in the city and partly in the suburbs. The inmates of the convent, some forty in number, were always ready to furnish champions of the Cross, whose ardent zeal shrank from neither toil nor peril; and when, in 1232, the fanatic Bishop Foulques died and was succeeded by the yet more fiery fanatic, the Dominican Provincial Raymond du Fauga, the Order was fully prepared to enter upon the exterminating war with heresy which was to last for a hundred years.*

The eager zeal of the friars did not wait to be armed with the organized authorization of inquisitorial powers. Their leading duty was to combat heresy, and their assaults on it were unintermitting. In 1231 a friar, in a sermon, declared that Toulouse was full of heretics, who held their assemblies there and disseminated their errors without hindrance. Already the magistrates seem to have looked askance on these pious efforts, for this assertion was made the occasion of a decided attempt at repression. The consuls of the city met and summoned before them, in the capitole, or town-hall, the prior, Pierre d'Alais. There they roundly scolded and threatened him, declaring that it was false to assert the existence of heresy in the town, and forbidding such utterances for the future. Trivial as was the occurrence, it has interest as the commencement of the ill-will between the authorities of Toulouse and the Inquisition, and as illustrating the sense of municipal pride and independence still cherished in the cities of the South. It required but a few years' struggle to trammel the civic liberties which had held their own against feudalism, but which could not stand against the subtler despotism of the Church.†

Even thus early Dominican ardor refused to be thus restrained. Master Roland of Cremona, noted as the first Dominican licentiate of the University of Paris, who had been brought to Toulouse to teach theology in the infant University, was scandalized when he

* Pelisso Chron. pp. 7–8.

† Ibid. pp. 9–10.

heard of the insolent language of the consuls, and exclaimed that it was only a fresh incentive to preach against heresy more bitterly than ever. He set the example in this, and was eagerly followed by many of the brethren. He soon, too, had an opportunity of proving the falsity of the consuls' disclaimer. It transpired that Jean Pierre Donat, a canon of the ancient Church of Saint Sernin, who had recently died and been buried in the cloister, had been secretly hereticated on his death-bed. Without authority, and apparently without legal investigation, Master Roland assembled some friars and clerks, exhumed the body from the cloister, dragged it through the streets, and publicly burned it. Soon afterwards he heard of the death of a prominent Waldensian minister named Galvan. After stirring up popular passion in a sermon, he marched at the head of a motley mob to the house where the heretic had died and levelled it to the ground; then proceeding to the Cemetery of Villeneuve, where the body was interred, he dug it up and dragged it through the city, accompanied by an immense procession, to the public place of execution beyond the walls, where it was solemnly burned.*

All this was volunteer persecution. The episcopal court was as yet the only tribunal having power to act in such matters, and it, as we have seen, could only authorize the secular arm to do its duty in the final execution. Yet the episcopal court seems to have been in no way invoked in these proceedings, and no protest is recorded as having been uttered against such irregular enforcements of the law by the mob. There was, in fact, no organization for the steady repression of heresy. Bishop Raymond appears to have satisfied himself with an occasional raid against heretics outside of the city, and to have allowed those within it virtual immunity under the protection of the consuls, though he had, in virtue of his office, all the powers requisite for the purpose, and the machinery for their effective use could have readily been developed. No permanent results were to be expected from fitful bursts of zeal, and the suppression of heresy might well seem to be as far off as ever.

Urgent as was evidently the need of some organized body devoted exclusively to persecution, the appointment of the first

* Pelisso Chron. pp. 10 - 11. — Preger, Vorarbeiten zu einer Geschichte der deutschen Mystik, p. 17.

inquisitors, in 1233, seems not to have been regarded as possessing any special significance. It was merely an experiment, from which no great results were anticipated. Frère Guillem Pelisson, who shared in the labors and perils of the nascent Inquisition, and who enthusiastically chronicled them, evidently does not consider it as an innovation worthy of particular attention. It was so natural an evolution from the interaction of the forces and materials of the period, and its future importance was so little suspected, that he passes over its founding as an incident of less moment than the succession to the Priory of Toulouse. "Frère Pons de Saint Gilles," he says, "was made Prior of Toulouse, who bore himself manfully and effectively for the faith against the heretics, together with Frère Pierre Cella of Toulouse and Frère Guillem Arnaud of Montpellier, whom the lord pope made inquisitors against the heretics in the dioceses of Toulouse and Cahors. Also, the Legate Archbishop of Vienne made Frère Arnaud Catala, who was then of the Convent of Toulouse, inquisitor against the heretics." Thus colorless is the only contemporary account of the establishment of the Holy Office.*

How little the functions of these new officials were at first understood is manifested by an occurrence, which is also highly suggestive of the tension of public feeling. In a quarrel between two citizens, one of them, Bernard Peitevin, called the other, Bernard de Solier, a heretic. This was a dangerous reputation to have, and the offended man summoned his antagonist before the consuls. The heretical party, we are told, had obtained the upper hand in Toulouse, and the magistrates were all either sympathizers with or believers in heresy. Bernard Peitevin was condemned to exile for a term of years, to pay a fine both to the complainant and to the city, and to swear publicly in the town-hall that he had lied, and that de Solier was a good Catholic. The sentence was a trifle vindictive, and Peitevin sought counsel of the Dominicans, who recommended him to appeal to the bishop. Episcopal jurisdiction in such a matter was perhaps doubtful, but Raymond du Fauga entertained the appeal. A few years later, if any cognizance had been taken of the case it would have been by the Inquisition, but

* Pelisso Chron. p. 13. Cf. Bern. Guidon. Vit. Gregor. PP. IX. (Muratori S. R. I. III. 573).

now the inquisitors, Pierre Cella and Guillem Arnaud, appeared as advocates of the appellant in the bishop's court, and so clearly proved de Solier's heresy that the miserable wretch fled to Lombardy.*

Similar indefiniteness of procedure is visible in the next attempt. The inquisitors, Pierre and Guillem, began to make an inquest through the city, and cited numerous suspects, all of whom found defenders among the chief citizens. The hearings took place before them, but seem as yet to have been in public. One of the accused, named Jean Teisseire, asserted himself to be a good Catholic because he had no scruples in maintaining marital relations with his wife, in eating flesh, and in lying and swearing, and he warned the crowd that they were liable to the same charge, and that it would be wiser for them to make common cause than to abandon him. When he was condemned, and the viguier, the official representative of the count, was about to conduct him to the stake, so threatening a clamor arose that the prisoner was hurried to the bishop's prison, still proclaiming his orthodoxy. Intense excitement pervaded the city, and menaces were freely uttered to destroy the Dominican convent and to stone all the friars, who were accused of persecuting the innocent. While in prison Teisseire pretended to fall mortally sick, and asked for the sacraments; but when the bailli of Lavaur brought to Toulouse some perfected heretics and delivered them to the bishop, Teisseire allowed himself to be hereticated by them in prison, and grew so ardent in the faith under their exhortations that when they were taken out for examination he accompanied them, declaring that he would share their fate. The bishop assembled the magistrates and many citizens, in whose presence he examined the prisoners. They were all condemned, including Teisseire, who obstinately refused to recant, and no further opposition was offered when they were all duly burned.†

Here we see the inquisitorial jurisdiction completely subordinate to that of the bishop, but when the inquisitors soon afterwards left Toulouse to hold inquests elsewhere they acted with full independence. At Cahors we hear nothing of the Bishop of Querci taking part in the proceedings under which they con-

* Pelisso pp. 10–17.

† Ibid. pp. 17–20.

demned a number of the dead, exhuming and burning their bodies, and inspiring such fear that a prominent believer, Raymond de Broleas, fled to Rome. At Moissac they condemned Jean du Gard, who fled to Montségur, and they cited a certain Folquet, who, in terror, entered the convent of Belleperche as a Cistercian monk, and, finding that this was of no avail, finally fled to Lombardy. Meanwhile Frère Arnaud Catala and our chronicler, Guillem Pelisson, descended upon Albi, where they penanced a dozen citizens by ordering them to Palestine, and in conjunction with another inquisitor, Guillem de Lombers, burned two heretics, Pierre de Puechperdut and Pierre Bomassipio.*

The absence of the inquisitors from Toulouse made no difference in the good work, for their duties were assumed by their prior, Pons de Saint-Gilles. Under what authority he acted is not stated, but we find him, in conjunction with another friar, trying and condemning a certain Arnaud Sancier, who was burned, in spite of his protests to the last that he was a good Catholic, causing great agitation in the city, but no tumultuous uprising.†

The terror which Pelisson boasts that these proceedings spread through the land was probably owing not only to the evidence they afforded of an organized system of persecution, but also to their introduction of a much more effective method of prosecution than had heretofore been known. The "heretic," so called, was the perfected teacher who disdained to deny his faith, and his burning was accepted by all as a matter of course, as also was that of the "credens," or believer, who was defiantly contumacious and persisted in admitting and adhering to his creed. Hitherto, however, the believer who professed orthodoxy seems generally to have escaped, in the imperfection of the judicial means of proving his guilt. The friars, trained in the subtleties of disputation and learned in both civil and canon law, were specially fitted for the detection of this particularly dangerous secret misbelief, and their persistence in worrying their victims to the death was well calculated to spread alarm, not only among the guilty, but among the innocent.

How reasonable were the fears inspired by the speedy informality of the justice accorded to the heretic is well illustrated by

* Pelisso Chron. pp. 20–1. † Ibid. p. 22.

a case occurring in 1234. When the canonization of St. Dominic was announced in Toulouse it was celebrated in a solemn mass performed by Bishop Raymond in the Dominican convent. St. Dominic, however, desired to mark the occasion with some more edifying manifestation of his peculiar functions, and caused word to be brought to the bishop, as the latter was leaving the church for the refectory to partake of a meal, that a woman had just been hereticated in a house hard by, in the Rue de l'Olmet sec. The bishop, with the prior and some others, hurried thither. It was the house of Peitavin Borsier, the general messenger of the heretics of Toulouse, whose mother-in-law lay dying of fever. So sudden was the entrance of the intruders that the woman's friends could only tell her "the bishop is coming," and she, who expected a visit from the heretic bishop, was easily led on by Raymond to make a full declaration of her heresy and to pledge herself to be steadfast in it. Then, revealing himself, he ordered her to recant, and, on her refusal, he summoned the viguier, condemned her as a heretic, and had the satisfaction of seeing the dying creature carried off on her bed and burned at the place of execution. Borsier and his colleague, Bernard Aldric of Drémil, were captured, and betrayed many of their friends; and then Raymond and the friars returned to their neglected dinner, giving thanks to God and to St. Dominic for so signal a manifestation in favor of the faith.*

The ferocious exultation with which these extra-judicial horrors were perpetrated is well reflected in a poem of the period by Isarn, the Dominican Prior of Villemier. He represents himself as disputing with Sicard de Figueras, a Catharan bishop, and each of his theological arguments is clinched with a threat—

"E' s'aquest no vols creyre vec te 'l foc aizinat
Que art tos companhos.
Aras vuelh que m' respondas en un mot o en dos,
Si cauziras et foc o remanras ab nos."

"If you will not believe this, look at that raging fire which is consuming your comrades. Now I wish you to reply to me in one word or two, for you will burn in the fire or join us." Or again, "If you do not confess at once, the flames are already lighted;

* Pelisso Chron. pp. 23–5.

your name is proclaimed throughout the city with the blast of trumpets, and the people are gathering to see you burn." In this terrible poem, Isarn only turned into verse what he felt in his own heart, and what he saw passing under his eyes almost daily.*

As the holy work assumed shape and its prospects of results grew more encouraging, the zeal of the hunters of men increased, while the fear and hatred of the hunted became more threatening. On both sides passion was fanned into flame. Already, in 1233, two Dominicans, sent to Cordes to seek out heretics, had been slain by the terrified citizens. At Albi the people, excited by the burning of the two heretics already referred to, rose, June 14, 1234, when Arnaud Catala ordered the episcopal bailli to dig up the bones of a heretic woman named Beissera whom he had condemned. The bailli sent back word that he dared not do it. Arnaud left the episcopal synod in which he was sitting, coolly went to the cemetery, himself gave the first strokes of the mattock, and then, ordering the officials to proceed with the work, returned to the synod. The officials quickly rushed after him, saying that they had been ejected from the burial-ground by the mob. Arnaud returned and found it occupied by a crowd of howling sons of Belial, who quickly closed in on him, striking him in the face and pummelling him on all sides, with shouts of "Kill him! he has no right to live!" Some endeavored to drag him into the shops hard by to slay him; others wished to throw him into the river Tarn, but he was rescued and taken back to the synod, followed by a mass of men fiercely shouting for his death. The whole city, indeed, seemed to be of one mind, and many of the principal burghers were leaders of the tumult. It is satisfactory to learn that, although Arnaud mercifully withdrew the excommunication which he launched at the rebellious city, his successor, Frère Ferrer, wrought the judgment of God upon the guilty, imprisoning many of them and burning otners.†

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* Millot, Troubadours, II. 65–77.—Mary-Lafon, Histoire du Midi de la France, III. 396–99.

† Vaissette, III. 403.—Martene Thesaur. I. 985.—Pelisso Chron. pp. 13–14, 52–9.

Chabanaud (Vaissette, Éd. Privat, X. 330) thinks it probable that this Arnaud Catala is the troubadour of the same name, developing, like Folquet of Marseilles and others, from a poet to a persecutor.

In Narbonne disturbances arose even more serious, although special inquisitors had not yet been sent there. In March, 1234, the Dominican prior, François Ferrer, undertook a volunteer inquisition and threw in prison a citizen named Raymond d'Argens. Fifteen years previous the artisans of the suburb had organized a confederation for mutual support called the Amistance, and this body arose as one man and forcibly rescued the prisoner. The archbishop, Pierre Amiel, and the viscount, Aimery of Narbonne, undertook to rearrest him, but found his house guarded by the Amistance, which rushed upon their followers with shouts of "Kill! kill!" and drove them away after a brief skirmish, in which the prior was badly handled. The archbishop had recourse to excommunication and interdict, but to little purpose, for the Amistance seized his domains and drove him from the city. Both sides sought allies. Gregory IX. appealed to King Jayme of Aragon, while a complaint from the consuls of Narbonne to those of Nîmes looks as though they were endeavoring to effect a confederation of the cities against the Inquisition, of whose arbitrary and illegal methods of procedure they give abundant details. A kind of truce was patched up in October, but the troubles recommenced when the prior, in obedience to an order from his provincial, undertook a fresh inquisition, and made a number of arrests. In December a suspension was obtained by the citizens appealing to the pope, the king, and the legate, but in 1235 the people rose against the Dominicans, drove them from the city, sacked their convent, and destroyed all the records of the proceedings against heresy. Archbishop Pierre had cunningly separated the city from the suburb, about equal in population, by confining the inquisition to the latter, and this bore fruit in his securing the armed support of the former. The suburb placed itself under the protection of Count Raymond, who, nothing loath to aggravate the trouble, came there and gave to the people as leaders Olivier de Termes and Guiraud de Niort, two notorious defenders of heretics. A bloody civil war broke out between the two sections, which lasted until April, 1237, when a truce for a year was agreed upon. In the following August the Count of Toulouse and the Seneschal of Carcassonne were called in as arbitrators, and in March, 1238, a peace was concluded. That the Church triumphed is shown by the conditions which imposed upon some of the participators

in the troubles a year's service in Palestine or against the Moors of Spain.*

In Toulouse, the centre both of heresy and persecution, in spite of mutterings and menaces, open opposition to the Inquisition was postponed longer than elsewhere. Although Count Raymond is constantly represented by the Church party as the chief opponent of the Holy Office, it was probably his influence that succeeded in staving off so long the inevitable rupture. Hard experience from childhood could scarce have rendered him a fervent Catholic, yet that experience had shown him that the favor and protection of the Church were indispensable if he would retain the remnant of territory and power that had been left to him. He could not as yet be at heart a persecutor of heresy, yet he could not afford to antagonize the Church. It was important for him to retain the love and good-will of his subjects and to prevent the desolation of his cities and lordships, but it was yet more important for him to escape the stigma of favoring heresy, and to avoid calling down upon his head a renewal of the storm in which he had been so nearly wrecked. Few princes have had a more difficult part to play, with dangers besetting him on every side, and if he earned the reputation of a trimmer without religious convictions, that reputation and his retention of his position till his death are perhaps the best proof of the fundamental wisdom which guided his necessarily tortuous course. Pierre Cardinal, the Troubadour, describes him as defending himself from the assaults of the worst of men, as fearing neither the Frenchman nor the ecclesiastic, and as humble only with the good.†

He was always at odds with his prelates. Intricate questions with regard to the temporalities were a constant source of quarrel, and he lived under a perpetual reduplication of excommunications,

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* Vaissette, III. 402–3, 406; Pr. 370–1, 379–81. — Coll. Doat, XXXI. 33. — Teulet, Layettes, II. 321, 324.

† "Car del pejors homes que son
Se defen et de tot le mond;
Que Franses ni clergia
Ni las autras gens ne l'affront;
Mas als bos s'humilia
Et l'mal confond."
(Peyrat, Les Albigeois et l'Inquisition, II. 394).

for he had been so long under the ban of the Church that no bishop hesitated for a moment in anathematizing him. Then, one of the conditions of the treaty of 1229 had been that within two years he should proceed to Palestine and wage war there with the infidel for five years. The two years had passed away without his performing the vow; the state of the country at no time seemed to render so prolonged an absence safe, and for years a leading object of his policy was to obtain a postponement of his crusade or immunity for the non-observance of his vow. Moreover, from the date of the peace of Paris until the end of his life he earnestly and vainly endeavored to obtain from Rome permission for the sepulture of his father's body. These complications crippled him in multitudinous ways and exposed him to immense disadvantage in his fencing with the hierarchy.

As early as 1230 he was taxed by the legate with inobservance of the conditions of the peace, and was forced to promise amendment of his ways. In 1232 we see Gregory IX. imperiously ordering him to be energetic in the duty of persecution, and, possibly in obedience to this, during the same year, we find him personally accompanying Bishop Raymond of Toulouse in a nocturnal expedition among the mountains, which was rewarded with the capture of nineteen perfected heretics, male and female, including one of their most important leaders, Pagan, Seigneur de Bécède, whose castle we saw captured in 1227. All these expiated their errors at the stake. Yet not long afterwards the Bishop of Tournay, as papal legate, assembled the prelates of Languedoc and formally cited Raymond before King Louis to answer for his slackness in carrying out the provisions of the treaty. The result of this was the drawing up of severe enactments against heretics, which he was obliged to promulgate in February, 1234. In spite of this, and of a letter from Gregory to the bishops ordering them no longer to excommunicate him so freely as before, he was visited within a twelvemonth with two fresh excommunications, for purely temporal causes. Then came fresh urgency from the pope for the extirpation of heresy, with which Raymond doubtless made a show of compliance, as his heart was bent on obtaining from Rome a restoration of the Marquisate of Provence. In this he was strongly backed by King Louis, whose brother Alfonse was to be Raymond's heir, and towards the close of the year he sought an

interview with Gregory and succeeded in effecting it. His reconciliation with the papacy appeared to be complete. His military reputation stood high, and Gregory made use of his visit to confide to him the leadership of the papal troops in a campaign against the rebellious citizens of Rome, who had expelled the head of the Church from their city. Though he did not succeed in restoring the pope, they parted on the best of terms, and he returned to Toulouse as a favored son of the Church, ready on all points to obey her behests.*

There he found matters rapidly approaching a crisis which tested to the utmost his skill in temporizing. Passions on both sides were rising to an uncontrollable point. At Easter, 1235, the promise of grace for voluntary confession brought forward such crowds of penitent heretics that the Dominicans were insufficient to take their testimony, and were obliged to call in the aid of the Franciscans and of all the parish priests of the city. Encouraged by this, the prior, Pons de Saint-Gilles, commenced to seize those who had not come forward spontaneously. Among these was a certain Arnaud Dominique, who, to save his life, promised to betray eleven heretics residing in a house at Cassers. This he fulfilled, though four of them escaped through the aid of the neighboring peasants, and he was set at liberty. The long-suffering of the heretics, however, was at last exhausted, and shortly afterwards he was murdered in his bed at Aigrefeuille by the friends of those whom he had thus sacrificed. Still more significant of the dangerous tension of popular feeling was a mob which, under the guidance of two leading citizens, forcibly rescued Pierre-Guillem Delort from the hands of the viguier and of the Abbot of Saint-Sernin, who had arrested him and were conveying him to prison. The situation was becoming unbearable, and soon the ceremony of dragging through the streets and burning the bodies of some dead heretics aroused an agitation so general and so menacing that Count Raymond was sent for in hopes that his interposition

* Bern. Guidon. Vit. Gregor. PP. IX. (Muratori, S. R. I. III. 573) —Archives Nat. de France J. 430, No. 17, 18.—Guill. Pod. Laur. c. 42.—Peyrat, Hist. des Albigeois, I. 287.—Harduin. Concil. VII. 203–8.—D'Achery Spicileg. III. 606.—Potthast No. 9771.—Epistt. Sæculi XIII. T. I. No. 577 (Mon. Germ. Hist.).—Matt. Paris ann. 1234, p. 280.—Vaissette, III. 399–400, 406.—Hist. Diplom. Frid. II. T. IV. pp. 485, 799–802.

might avert the most deplorable consequences. Thus far, although perhaps somewhat lacking in alacrity of persecution, no serious charges could be laid against him. His officials, his baillis and viguiers, had responded to all appeals of the inquisitors and had lent the aid of the secular arm in seizing heretics, in burning them, and in confiscating their property. Yet when he came to Toulouse and begged the inquisitors to suspend for a time the vigor of their operations he was not listened to. Then he turned to the papal legate, Jean, Archbishop of Vienne, complaining specially of Pierre Cella, whom he considered to be inspired with personal enmity to himself, and whom he regarded as the chief author of the troubles. His request that Cella's operations should be confined to Querci was granted. That inquisitor was sent to Cahors, where, with the assistance of Pons Delmont and Guillem Pelisson he vigorously traversed the land and forced multitudes to confess their guilt.*

This expedient was of no avail. Persecution continued as aggressive as ever, and popular indignation steadily rose. The inevitable crisis soon came which should determine whether the Inquisition should sink into insignificance, as had been the case with so many previous efforts, or whether it should triumph over all opposition and become the dominating power in the land.

Guillem Arnaud was in no way abashed by the banishment of his colleague. Returning from a brief absence at Carcassonne, of which more anon, he summoned for trial as believers twelve of the leading citizens of Toulouse, one of them a consul. They refused to appear, and threatened him with violence unless he should desist. On his persisting, word was sent him, with the assent of Count Raymond, that he must either leave the city or abandon his functions as inquisitor. He took council with his Dominican brethren, when it was unanimously agreed that he should proceed manfully in his duty. The consuls then ejected him by force from the city; he was accompanied to the bridge over the Garonne by all the friars, and as he departed the consuls recorded a protest to the effect that if he would desist from the inquisition he could remain; otherwise, in the name of the count and in their own, they ordered him to leave the city. He went to Carcassonne, whence

* Pelisso Chron. pp. 25–8.

he ordered the Prior of Saint-Étienne and the parish priests to repeat the citations to the parties already summoned. This order was bravely obeyed in spite of threats, when the consuls sent for the prior and priests, and after keeping them in the town-hall part of a night, expelled them from the town, and publicly proclaimed that any one daring to repeat the citations should be put to death, and that any one obeying the summons of an inquisitor should answer for it in body and goods. Another proclamation followed, in which the name of Count Raymond was used, prohibiting that any one should give or sell anything to the bishop, the Dominicans, or the canons of Saint-Étienne. This forced the bishop to leave the city, as we are told that no one dared even to bake a loaf of bread for him, and the populace, moreover, invaded his house, beat his clerks, and stole his horses. The Dominicans fared better, for they had friends hardy enough to supply them with necessaries, and when the consuls posted guards around their house, still bread and cheese and other food was thrown over their walls in spite of the arrest of some of those engaged in it. Their principal suffering was from lack of water, which had to be brought from the Garonne, and as this source of supply was cut off, they were unable to boil their vegetables. For three weeks they thus exultingly endured their martyrdom in a holy cause. Matters became more serious when the indomitable Guillem Arnaud sent from Carcassonne a letter to the prior saying, that as no one dared to cite the contumacious citizens, he was forced to order two of the friars to summon them to appear before him personally in Carcassonne to answer for their faith, and that two others must accompany them as witnesses. Tolling the convent bell, the prior assembled the brethren, and said to them with a joyful countenance: "Brethren, rejoice, for I must send four of you through martyrdom to the throne of the Most High. Such are the commands of our brother, Guillem the inquisitor, and whoever obeys them will be slain on the spot, as threatened by the consuls. Let those who are ready to die for Christ ask pardon." With a common impulse the whole body cast themselves on the ground, which was the Dominican form of asking pardon, and the prior selected four, Raymond de Foix, Jean de Saint-Michel, Gui de Navarre, and Guillem Pelisson. These intrepidly performed their duty, even penetrating when necessary into the bed-chambers of the accused. Only in one

house were they ill-treated, and even there, when the sons of the person cited drew knives upon them, the bystanders interfered.

There was evidently nothing to be done with men who thus courted martyrdom. To gratify them would be suicidal, and the consuls decided to expel them. On being informed of this the prior distributed among trusty friends the books and sacred vessels and vestments of the convent. The next day (Nov. 5 or 6, 1235) the friars, after mass, sat down to their simple meal, during which the consuls came with a great crowd and threatened to break in the door. The friars marched in procession to their church, where they took their seats, and when the consuls entered and commanded them to depart they refused. Then each was seized and violently led forth, two of them who threw themselves on the ground near the door being picked up by the hands and feet and carried out. Thus they were accompanied through the town, but not otherwise maltreated, and they turned the affair into a procession, marching two by two and singing Te Deum and Salve Regina. At first they went to a farm belonging to the church of Saint-Étienne, but the consuls posted guards to see that nothing was furnished to them, and the next day the prior distributed them among the convents of the province. That the whole affair enlisted for them the sympathies of the faithful was shown by two persons of consideration joining them and entering the Order while it was going on.*

It is significant of the position which Guillem Arnaud's steadfastness had already won for his office that to him was conceded the vindication of this series of outrages on the immunity of the Church. Bishop Raymond had joined him in Carcassonne without anathematizing the authors of his exile, but now the anathema promptly went forth, November 10, 1235, uttered by the inquisitor with the names of the Bishops of Toulouse and Carcassonne appended as assenting witnesses. It was confined to the consuls, but Count Raymond was not allowed to escape the responsibility. The excommunication was sent to the Franciscans of Toulouse for publication, and when they obeyed they too were expelled, in no gen-

* Pelisso Chron. pp. 30-40.—Bern. Guidon. Hist. Fundat. Convent. Prædicat. (Martene Thesaur. VI. 460-1).—Epistt. Sæculi XIII. T. I. No. 688 (Mon. Germ. Hist.).—Guill. Pod. Laur. c. 43.

tle fashion, and the rebellious city was virtually left without ecclesiastics. Further excommunications followed, now including the count, and Prior Pons de Saint-Gilles hastened to Italy to pour the story of his woes into the sympathizing ears of the pope and the sacred college. Gregory assailed the count as the chief offender. A minatory brief of April 28, 1236, addressed to him, is couched in the severest language. He is held responsible for the audacious acts of the consuls; he is significantly reminded of the unperformed vow of the crusade; not only has he failed to extirpate heresy according to his pledges, but he is a manifest fautor and protector of heretics; his favorites and officers are suspect of heresy; he protects those who have been condemned; his lands are a place of refuge for those flying from persecution elsewhere, so that heresy is daily spreading and conversions from Catholicism are frequent, while zealous churchmen seeking to restrain them are slain and abused with impunity. All this he is peremptorily ordered to correct and to sail with his knights to the Holy Land in the "general passage" of the following March. It scarcely needed the reminder, which the pope did not spare him, of the labors which the Church and its Crusaders had undergone to purge his lands of heresy. He had too keen a recollection of the abyss from which he had escaped to risk another plunge. He had gone as far as he dared in the effort to protect his subjects, and it were manifest folly to draw upon his head and theirs another inroad of the marauders whom the pope with a word could let loose upon him to earn salvation with the sword.*

The epistle to Raymond was accompanied with one to the legate, instructing him to compel the count to make amends and perform the crusade. To Frederic II. he wrote forbidding him to call on Raymond for feudal services, as the count was under excommunication and virtually a heretic, to which the emperor replied, reasonably enough, that, so long as Raymond enjoyed possession of fiefs held under the empire, excommunication should not

* Martene Thesaur. I. 992.—Epistt. Sæculi XIII. T. I. No. 688 (Mon. Germ. Hist.).—Teulet, Layettes, II. 314.

The subordination of the bishop to the inquisitors is further shown in the excommunication of the viguier and consuls of Toulouse, July 24, 1237, in which Bishop Raymond and other prelates are mentioned as assessors to the inquisitors (Doat, XXI. 148).

confer on him the advantage of release from their burdens. King Louis was also appealed to and was urged to hasten the marriage between his brother Alfonse and Raymond's daughter Jeanne. With the spectre of all Europe in arms looming up before him Raymond could do nothing but yield. When, therefore, the legate summoned him to meet the inquisitors at Carcassonne he meekly went there and conferred with them and the bishops. The conference ended with his promise to return the bishop and friars and clergy to Toulouse, and this promise he kept. The friars were duly reinstated September 4, after ten months of exile. That Guillem Arnaud returned with them is a matter of course.*

Pierre Cella was still restricted to his diocese of Querci, and as Guillem required a colleague, a concession was made to popular feeling by the legate in appointing a Franciscan, it being imagined that the comparative mildness of that Order might serve to modify the hatred felt towards the Dominicans. The post was conferred on the provincial minister, Jean de Notoyra, but his other duties were too engrossing, and he substituted Frère Etienne de Saint-Thibery, who had the reputation of being a modest and courteous man. If hopes were entertained that thus the severity of the Inquisition would be tempered, they were disappointed. The two men worked cordially together, with a single purpose and perfect unanimity.†

Guillem Arnaud's activity was untiring. During his exile in Carcassonne he occupied himself with the trial of the Seigneur de Niort, whom he sentenced in February or March, 1236.‡ In the early months of 1237 we hear of him in Querci, co-operating with Pierre Cella in harrying the heretics of Montauban. During his absence there occurred a crowning mercy in Toulouse, which threw the heretics into a spasm of terror and contributed greatly to their destruction. Raymond Gros, who had been a perfected heretic for more than twenty years, one of the most loved and trusted leaders of the sect, was suddenly converted. Tradition relates that a quarter of a century before he had been seized and con-

* Potthast No. 10152.—Epistt. Sæcul. XIII. T. I. No. 700 (Mon. Germ. Hist.). —Hist. Diplom. Frid. II. T. IV. P. II. p. 912.—Vaissette, III. 408.—Pelisso Chron. pp. 40–1.

† Pelisso Chron. p. 41–2.

‡ Coll. Doat, XXI. 163.

signed to the stake, when the prophetic spirit of St. Dominic, foreseeing that he would return to the Church and perform shining service in the cause of God, rescued him from the flames. On April 2, without heralding, he presented himself at the Dominican convent, humbly begged to be received into the Church, and promised to do whatever should be required of him. With the eagerness of an impassioned convert he proceeded to reveal all that lifelong intercourse with the Cathari had brought to his knowledge. So full were his recollections that several days were required to write down all the names and facts that crowded to his lips. The lists were long and embraced prominent nobles and citizens, confirming suspicion in many cases, and revealing heresy in other quarters where it was wholly unlooked for.

Guillem Arnaud hurried back from Montauban to take full advantage of this act of Providence. The heretics were stunned. None of them dared to deny the truth of the accusations made by Raymond Gros. Many fled, some of whose names reappear in the massacre of Avignonet and the final catastrophe of Montségur. Many recanted and furnished further revelations. Long lists were made out of those who had been hereticated on their death-beds, and multitudes of corpses were exhumed and burned, with the resultant harvest of confiscations. It is difficult to exaggerate the severity of the blow thus received by heresy. Toulouse was its headquarters. Here were the nobles and knights, the consuls and rich burghers who had thus far defied scrutiny and had protected their less fortunate comrades. Now scattered and persecuted, forced to recant, or burned, the power of the secret organization was broken irrevocably. We can well appreciate the pious exultation of the chronicler as he winds up his account of the consternation and destruction thus visited upon the heretical community —"Their names are not written in the Book of Life, but their bodies here were burned and their souls are tortured in hell!" A single sentence of February 19, 1238, in which more than twenty penitents were consigned *en masse* to perpetual imprisonment, shows the extent of the harvest and the haste of the harvesters.*

* Pelisso Chron. pp. 43–51.—Coll. Doat, XXI. 149.—It is probable that among these victims perished Vigoros de Bocona, a Catharan bishop. Alberic de Trois Fontaines places his burning in Toulouse in 1233 (Chron. ann. 1233), but there is

The Inquisition thus had overcome the popular horror which its proceedings had excited; it had braved the shock and triumphed over the opposition of the secular authorities, and had planted itself firmly in the soil. After the harvest had been gathered in Toulouse it was evident to the indefatigable activity of the inquisitors that they could best perform their functions by riding circuit and holding assizes in all the towns subject to their jurisdiction, and this was represented as a concession to avert the complaints of those who deemed it a hardship to be summoned to distant places. Their incessant labors began to tell. Heretics were leaving the lands of Raymond at last and seeking a refuge elsewhere. Possibly some of them found it in the domains which had fallen to the crown, for in this year we find Gregory scolding the royal officials for their slackness of zeal in executing sentences against powerful heretics. Elsewhere, however, there was no rest for them. In Provence this year Pons de l'Esparre made himself conspicuous for the energy and effectiveness with which he confounded the enemies of the faith; while Montpellier, alarmed at the influx of heretics and their success in propagating their errors, appealed to Gregory to favor them with some assistance that should effectively resist the rising tide, and Gregory at once ordered his legate Jean de Vienne to go thither and take the necessary measures.*

The progress of the Inquisition, however, was not destined to be uninterrupted. Count Raymond, apparently reckless of the numerous excommunications under which he lay, so far from sailing for Palestine in March, had seized Marseilles, which was in rebellion against its suzerain, the Count of Provence. This aroused anew the indignation of Gregory, not only because of its interference with the war against the Saracens in Spain and the Holy Land, but because of the immunity which heretics would enjoy

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evidence of his being still alive and active in 1235 or 1236 (Doat, XXII. 222). He was ordained a "filius major" in Montségur about 1229, by the Catharan bishop, Guillabert de Castres (Doat, XXII. 226), and his name as that of a revered teacher continues for many years to occur in the confessions of penitents.

* Guill. Pod. Laur. c. 43.—Arch. de l'Evêché de Béziers (Doat, XXXI. 35).—Bern. Guidon. Libell. de Magist. Ord. Prædic. (Martene Ampl. Coll. VI. 422).—Raynald. ann. 1237, No. 32.

during the quarrel of the Christian princes. He peremptorily ordered Raymond to desist from his enterprise on Marseilles, and to perform his Crusader's vow. An appeal was made to King Louis and Queen Blanche, whose intervention procured for Raymond not only a postponement of the crusade for another year, but an order to the legate empowering him to grant the count's request to take the Inquisition entirely out of the hands of the Dominicans, if, on investigation, he should find justification for Raymond's assertion that they were actuated by hatred towards himself. Fresh troubles had arisen at Toulouse. July 24, 1237, the inquisitors had again excommunicated the viguier and consuls, because they had not arrested and burned Alaman de Roaix and some other heretics, condemned *in absentia*, and Raymond was resolved, if possible, to relieve himself and his subjects from the cruel oppression to which they were exposed.*

In this his efforts were crowned with most unlooked-for success. May 13, 1238, he obtained a suspension for three months of all inquisitorial proceedings, during which time his envoys sent to Gregory were to be heard. They seem to have used most persuasive arguments, for Gregory wrote to the Bishop of Toulouse to continue the suspension until the new legate, the Cardinal-bishop of Palestrina, should examine into the complaints against the Dominicans and consider the advisability of granting Raymond's request that the business of persecution should be confined, as formerly, to the bishops. Raymond's crusade was also reduced to three years, to be performed voluntarily, provided he would give to King Louis sufficient security that he would sail the following year: by performing this, and making amends for the wrongs inflicted on the Church, he was to earn absolution from his numerous excommunications.†

The temporary suspension was unexpectedly prolonged, for,

* Epistt. Sæculi XIII. T. I. No. 706 (Mon. Germ. Hist.).—Potthast No. 10357, 10361.—Raynald. ann. 1237, No. 33, 37.—Teulet, Layettes, II. 339, No. 2514.—Vaissette, III. 410.—Coll. Doat, XXI. 146.

A deposition of Raymond Jean of Albi, April 30, 1238 (Doat, XXIII. 273), probably marks the term of the activity of the Inquisition before its suspension.

† Teulet, Layettes, II. 377, 386.—Epistt. Sæculi XIII. T. I. No. 731 (Mon. Germ. Hist.).—Raynald. ann. 1239, No. 71–3.—Arch. du Vatican T. XIX. (Berger, Actes d'Innocent IV. p. xix.).

owing to hostilities with Frederic II., the cardinal-legate's departure was postponed for a year. When at last he came, in 1239, he brought special orders to the inquisitors to obey his commands. What investigation he made and what were his conclusions we have no means of knowing, but this at least is certain, that until late in 1241 the Inquisition was effectually muzzled. No traces remain of its activity during these years, and Catholic and Catharan alike could draw a freer breath, relieved of apprehension from its ever-present supervision and the seemingly superhuman energy of the friars.*

We can readily conjecture the reasons which impelled its reinstatement. Doubtless the bishops were as negligent as of old, and looked after their temporalities to the exclusion of their duties in preserving the purity of the faith. Doubtless, too, the heretics, encouraged by virtual toleration, grew bolder, and cherished hopes of a return to the good old times, when, secure under their native princes, they could safely defy distant Paris and yet more distant Rome. The condition of the country was, in fact, by no means reassuring, especially in the regions which had become domains of the crown. The land was full of knights and barons who were more or less openly heretics, and who knew not when the blow might fall on them; of seigneurs who had been proscribed for heresy; of enforced converts who secretly longed to avow their hidden faith, and to regain their confiscated lands; of penitents burning to throw off the crosses imposed on them, and to avenge the humiliations which they had endured. Refugees, *faidits*, and heretic teachers were wandering through the mountains, dwelling in caverns and in the recesses of the forests. Scarce a family but had some kinsman to avenge, who had fallen in the field or had perished at the stake. The lack of prisons and the parsimony of the prelates had prevented a general resort to imprisonment, and the burnings had not been numerous enough to notably reduce the numbers of those who were of necessity bitterly opposed to the existing order. Suddenly, in 1240, an insurrection appeared, headed by Trencavel, son of that Viscount of Béziers whom we have seen entrapped by Simon de Montfort and dying opportunely in

* Arch. Nat. de France J. 430, No. 19, 20. — Guill. Pod. Laurent. c. 43. — Vaissette, III. 411.

his hands, not without suspicion of poison. He brought with him from Catalonia troops of proscribed knights and gentlemen, and was greeted enthusiastically by the vassals and subjects of his house. Count Raymond, his cousin, held aloof; but his ambiguous conduct showed plainly that he was prepared to act on either side as success or defeat might render advisable. At first the rising seemed to prosper. Trencavel laid siege to his ancestral town of Carcassonne, and the spirit of his followers was shown when, on the surrender of the suburb, they slaughtered in cold blood thirty ecclesiastics who had received solemn assurance of free egress to Narbonne.*

It required but a small force of royal troops under Jean de Beaumont to crush the insurrection as quickly as it had arisen, and to inflict a vengeance which virtually annihilated the *petite noblesse* of the region; but, nevertheless, the lesson which it taught was not to be neglected. The civil order, as now established in the south of France, evidently rested in the religious order, and the maintenance of this required hands more vigorous and watchful than those of the self-seeking prelates. A great assembly of the Cathari held in 1241, on the bank of the Larneta, under the presidency of Aymeri de Collet, heretic Bishop of Albi, showed how bold they had become, and how confidently they looked to the future. Church and State both could see now, if not before, that the Inquisition was a necessary factor in securing to both the advantages gained in the crusades.†

Gregory IX., the founder of the Inquisition, died August 22, 1241. It is probable that, before his death, he had put an end to the suspension of the Inquisition and slipped the hounds from the leash, for his immediate successor, Celestin IV., enjoyed a pontificate of but nineteen days — from September 20 to October 8 — and then followed an interregnum until the election of Innocent IV., June 28, 1243, so that for nearly two years the papal throne

* Guill. Pod. Laur. c. 43.—Guill. Nangiac. Gest. S. Ludov. ann. 1239.—Vaissette, III. 420.—Bern. Guidon. Vit. Gregor. PP. IX. (Muratori S. R. I. III. 574). —Teulet, Layettes, II. 457. It was not until 1247 that Trencavel released the consuls of Béziers from their allegiance to him. — Mascaro, Libre de Memorias, ann. 1247.

† A. Molinier (Vaissette, Ed. Privat, VII. 448–61). — Douais, Les Albigeois, Paris, 1879; Pieces justif. No. 4.

was practically vacant. Raymond's policy, for the moment, had leaned towards gratifying the papacy, for he desired from Gregory not only the removal of his four excommunications and forbearance in the matter of the crusade, but also a dispensation to enable him to carry out a contract of marriage into which he entered with Sanche, daughter and heiress of the Count of Provence, not foreseeing that Queen Blanche would juggle him in this, and, by securing the brilliant match for her son Charles, found the House of Anjou-Provence, and win for the royal family another large portion of the South. Full of these projects, which promised so well for the rehabilitation of his power, he signed, April 18, 1241, with Jayme I. of Aragon, a treaty of alliance for the defence of the Holy See and the Catholic faith, and against the heretics. Under such influences he was not likely to oppose the renewal of active persecution. Besides, he had been compromised in Trencavel's insurrection; he had been summoned to answer for his conduct before King Louis, when, on March 14, he had been forced to take an oath to banish from his lands the *faidits* and enemies of the king, and to capture without delay the castle of Montségur, the last refuge of heresy.*

The case of the Seigneurs de Niort, powerful nobles of Fenouillèdes, who had taken part in Trencavel's insurrection, is interesting from the light which it throws upon the connection between the religion and the politics of the time, the difficulties which the Inquisition experienced in dealing with stubborn heresy and patriotism, and the damage inflicted on the heretic cause by the abortive revolt. The three brothers—Guillem Guiraud, Bernard Otho, and Guiraud Bernard—with their mother, Esclarmonde, had long been a quarry which both the inquisitors and the royal seneschal of Carcassonne had been eager to capture. Guillem had earned the reputation of a valiant knight in the wars of the crusades, and the brothers had managed to hold their castles and their power through all the vicissitudes of the time. In the general inquisition made by Cardinal Romano in 1229 they were described as among the chief leaders of the heretics, and the Council of Toulouse, at the same time, denounced two of them as enemies of the faith, and declared them excommunicate if they did not submit within

* D'Achery Spicileg. III. 621.—Vaissette, III. 424; Pr. 400.

fifteen days. In 1233 we hear of their having, not long before, laid waste with fire and sword the territories of Pierre Amiel, Archbishop of Narbonne, and they had assailed and wounded him while on his way to the Holy See, an exploit which led Gregory IX. to order the archbishop, in conjunction with the Bishop of Toulouse, to proceed against them energetically, while at the same time he invoked the secular arm by a pressing command to Count Raymond. It was probably under this authority that Bishop Raymond du Fauga and the Provost of Toulouse held an inquest on them, in which was taken the testimony of Pierre Amiel and of one hundred and seven other witnesses. The evidence was conflicting. The archbishop swore at great length as to the misdeeds of his enemies. They were all heretics. At one time they kept in their Castle of Dourne no less than thirty perfected heretics, and they had procured the assassination of André Chaulet, Seneschal of Carcassonne, because he had endeavored to obtain evidence against them. Other witnesses were equally emphatic. Bernard Otho on one occasion had silenced a priest in his own church, and had replaced him in the pulpit with a heretic, who had preached to the congregation. On the other hand, there were not wanting witnesses who boldly defended them. The preceptor of the Hospital at Puységur swore to the orthodoxy of Bernard Otho, and declared that what he had done for the faith and for peace had caused the death of a thousand heretics. A priest swore to having seen him assist in capturing heretics, and an archdeacon declared that he would not have remained in the land but for the army which Bernard raised after the death of the late king, adding that he believed the prosecution arose rather from hate than from charity. Nothing came of this attempt, and in 1234 we meet with Bernard Otho as a witness to a transaction between the royal Seneschal of Carcassonne and the Monastery of Alet; but when the Inquisition was established it was promptly brought to bear on the nobles who persisted in maintaining their feudal independence in spite of the fact that their immediate suzerain was now the king. In 1235 Guillem Arnaud, the inquisitor, while in Carcassonne, with the Archdeacon of Carcassonne as assistant, cited the three brothers and their mother to answer before him. Bernard Otho and Guillem obeyed the summons, but would confess nothing. Then the seneschal seized them; under compulsion

Guillem made confession ample to warrant the inquisitor in sentencing him to perpetual prison (March 2, 1236), while Bernard, remaining obdurate, was condemned as a contumacious heretic (February 13, 1236), and the seneschal made preparations to burn him. Guiraud and his mother, Esclarmonde, were further condemned, March 2, for contumacious absence. Guiraud, however, who had wisely kept at large, began to fortify his castles and make warlike demonstrations so formidable that the Frenchmen scattered through the land took alarm. The Maréchal de la Foi, Levis of Mirepoix, stood firm, but the rest so worked upon the seneschal that the brothers were released, and the inquisitors had only the barren satisfaction of condemning the whole family on paper—a disappointment alleviated, it is true, by gathering for the stake a rich harvest of less formidable heretics, both clerks and laymen. Equally vain was an effort made two years later by the inquisitors to compel Count Raymond to carry out their sentence by confiscating the lands of the contumacious nobles, but the failure of Trencavel's revolt forced them to sue for peace. Bernard Otho was again brought before the Inquisition, and Guillem de Niort made submission for himself and brothers, surrendering their castles to the king on condition that he would procure their reconciliation with the Church, and that of their mother, nephews, and allies, and, failing to accomplish this by the next Pentecost, that he would restore their castles and grant them a month of truce to put themselves in defence. King Louis ratified the treaty in January, 1241, but refused, when the time came, to restore the castles, only agreeing to pay over the revenues on consideration that the brothers should reside outside of Fenouillèdes. Guillem died in 1256, when Louis kept both castles and revenues, under pretext that the treaty had been a personal one with Guillem. The new order of things by this time had become so firmly established that no further resistance was to be dreaded. The extinction of this powerful family is a typical example of the manner in which the independence of the local seigneurie was gradually broken down by means of the Inquisition, and the authority of crown and Church was extended over the land.*

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* Guillem de Tudela V. 8980, 9183. — Trésor des Chartes du Roi à Carcassonne (Doat, XXII. 34–49).—Vaissette, Éd. Privat, VIII. 975.—Teulet, Layettes,

Under the reaction consequent upon Trencavel's failure, and emboldened by the ruin of the local protectors of the people, the inquisitors returned to their work with sharpened zeal and redoubled energy. Chance has preserved for us a record of sentences pronounced by Pierre Cella, during a circuit of a few months in Querci, from Advent, 1241, to Ascension, 1242, which affords us a singularly instructive insight into one phase of inquisitorial operations. We have seen that, when an inquisitor visited a town, he proclaimed a "time of grace," during which those who voluntarily came forward and confessed were spared the harsher punishments of prison, confiscation, or the stake, and that the Inquisition found this expedient exceedingly fruitful, not only in the number of penitents which it brought in, but in the testimony which was gathered concerning the more contumacious. The record in question consists of cases of this kind, and its crowded calendar justifies the esteem in which the method was held.*

Summarized, the record shows—

In Gourdon.....	219	sentences	pronounced	in	Advent,	1241.
In Montcucq....	84	"	"	"	Lent,	1242.
In Sauveterre....	5.					
In Belcayre.....	7.					
In Montauban...	254	sentences	pronounced	in	week before Ascension (May 21–28,	1242).
In Moissac	99	"	"	"	week of Ascension (May 28–June 5,	1242).
In Montpezat....	22	"	"	"	Lent,	1242.
In Montaut.....	23	"	"	"	"	"
In Castelnau	11	"	"	"	"	"
Total.....	724					

II. 252, No. 2241.—Vaissette, III. 383, 422–3; Pr. 385, 397–99.—Ripoll VII. 9.—Potthast No. 9024.—Pelisso Chron. pp. 28–9.—Coll. Doat, XXI. 163–164, 166; XXIV. 81.

* The document is in the Collection Doat, XXI. 185 sqq.—Although it does not specify that the cases are of voluntary penitents within the time of grace, there is no risk in assuming this. The penances are all of the kind provided for such penitents; and in one case (fol. 220) it is mentioned that the party had not come in within the time, which would infer that the rest had done so. Besides, the extraordinary speed with which the business was transacted is wholly incompatible with prosecutions of accused persons striving to maintain their innocence.

Of these penitents four hundred and twenty-seven were ordered to make the distant pilgrimage to Compostella, in the northwestern corner of Spain—some four hundred or five hundred miles of mountainous roads. One hundred and eight were sent to Canterbury, this pilgrimage, in all but three or four cases, being superimposed on that to Compostella. Only two penitents were required to visit Rome, but seventy-nine were ordered to serve in the crusades for terms varying from one to eight years.

The first thing that impresses one in considering this record is the extraordinary speed with which the work was done. The whole was despatched in six months, and there is no evidence that the labor was continuous — in fact, it could not have been so, for the inquisitor had to move from place to place, to grant the necessary delays, and must have been frequently interrupted to gather in the results of testimony which implicated recusants. With what reckless lack of consideration the penances were imposed is shown by the two hundred and nineteen penitents of Gourdon, whose confessions were taken down and whose sentences were pronounced within the four weeks of Advent; and even this is outstripped by the two hundred and fifty-two of Montauban, despatched in the week before Ascension, at the rate of forty-two for each working-day. In several cases two culprits are included in the same sentence.

Even more significant than this, however, are the enormous numbers—two hundred and nineteen for a small town like Gourdon and eighty-four for Montcucq. The number of these who were really heretics, both Catharan and Waldensian, is large, and shows how thoroughly the population was interpenetrated with heresy. Even more, however, were good Catholics whose cases prove how amicably the various sects associated together, and how impossible it was for the most orthodox to avoid the association with heretics which rendered him liable to punishment. This friendly intercourse is peculiarly notable in the case of a priest who confessed to having gone to some heretics in a vineyard, where he read in their books and ate pears with them. He was rudely reminded of his indiscretion by being suspended from his functions, sent to Compostella and thence to Rome, with letters from the inquisitors which doubtless were not for his benefit, for apparently they felt unable to decide what ought to be done for

an offence so enormous. Even the smallest derelictions of this sort were rigorously penanced. A citizen of Sauveterre had seen three heretics entering the house of a sick man, and heard that they had hereticated him, but knew nothing of his own knowledge, yet he was subjected to the disgrace of a penitential pilgrimage to Puy. Another, of Belcayre, had carried a message between two heretics, and was sent to Puy, St. Gilles, and Compostella. A physician of Montauban had bound up the arm of a heretic and was subjected to the same three pilgrimages, and the same penance was inflicted on a woman who had simply eaten at a table with heretics. The same was prescribed in several cases of boatmen who had ignorantly transported heretics, without recognizing them until the voyage was under way or finished. A woman who had eaten and drunk with another woman who she heard was a heretic was sentenced to the pilgrimages of Puy and St. Gilles, and the same penance was ordered for a man who had once seen heretics, and for a woman who had consulted a Waldensian about her sick son. The Waldenses had great reputation as skilful leeches, and two men who had called them in for their wives and children were penanced with the pilgrimages of Puy, St. Gilles, and Compostella. A man who had seen heretics two or three times, and had already purchased reconciliation by a gift to a monastery, was sent on a long series of pilgrimages, embracing both Compostella and Canterbury, besides wearing the yellow cross for a year. Another was sent to Compostella because he had once been thrown into company with heretics in a boat, although he had left them on hearing their heresies; and yet another because, when a boy, he had spent part of a day and night with heretics. One who had seen heretics when he was twelve years old was sent to Puy; while a woman who had seen them in her father's house was obliged to go to Puy and St. Gilles. A man who had seen two heretics leaving a place which he had rented was sent to Compostella, and another who had allowed his Waldensian mother to visit him and had given her an ell of cloth was forced to expiate it with pilgrimages to Puy, St. Gilles, and Compostella.* The list might be prolonged almost indefinitely, but these cases will suffice to

* Coll. Doat, XXI. 210, 215, 216, 227, 229, 230, 238, 265, 283, 285, 293, 299, 300, 301, 305, 307, 308, 310.

show the character of the offence and the nature of the grace proffered for voluntary confession. There is no pretence that any of these particular culprits themselves were not wholly orthodox, but the people were to be taught that the toleration which had existed for generations was at an end; that the neighborly intercourse which had established itself between Catholic and Catharan and Waldensian was in itself a sin; that the heretic was to be tracked and captured like a wild beast, or at least to be shunned like a leper.

When such was the measure meted out to spontaneous penitents within the time of grace, with harsher measures in reserve for those subsequently detected, we can easily imagine the feelings inspired by the Inquisition in the whole population, without distinction of creed, and the terror common to all when the rumor spread that the inquisitors were coming. Scarce any one but was conscious of some act — perhaps of neighborly charity — that rendered him a criminal to the awful fanaticism of Pierre Cella or Guillem Arnaud. The heretics themselves would look to be imprisoned for life, with confiscation, or to be burned, or sent to Constantinople to support the tottering Latin Empire; while the Catholics were likely to fare little better on the distant pilgrimages to which they were sentenced, even though they were spared the sterner punishments or the humiliation of the saffron cross. Such a visit would bring, even to the faithful, the desolation of a pestilence. The inquisitors would pass calmly on, leaving a neighborhood well-nigh depopulated — fathers and mothers despatched to distant shrines for months or years, leaving dependent families to starve, or harvests ungathered to be the prey of the first-comer, all the relations of a life, hard enough at the best, disturbed and broken up. Even such a record as that of Pierre Cella's sentences rendered within the time of grace shows but a portion of the work. A year or two later we find the Council of Narbonne beseeching the inquisitors to delay rendering sentences of incarceration, because the numbers of those flocking in for reconciliation after the expiration of the term of grace were so great that it would be impossible to raise funds for their maintenance, or to find stones enough, even in that mountainous land, to build prisons to contain them.*

* Concil. Narbonn. ann. 1244 c. 19.

That a whole vicinage, when it had timely notice, should bind itself in a league to defeat the purpose of the inquisitors, as at Castelnaudary, must have been a frequent experience; that, sooner or later, despair should bring about a catastrophe like that of Avignonet was inevitable.

Montségur for years had been the Mount Tabor of the Cathari —the place of refuge in which, as its name implies, they could feel secure when safety could be hoped for nowhere else. It had been destroyed, but early in the century Raymond de Péreille had rebuilt it, and for forty years he held it as an asylum for heretics, whom he defended to the utmost of his ability. In 1232 the Catharan bishops Tento of Agen and Guillabert de Castres of Toulouse, with a number of ministers, foreseeing, in the daily increasing pressure of persecution, the necessity of some stronghold which should serve as an asylum, arranged with Raymond that he should receive and shelter all fugitives of the sect and guard the common treasure to be deposited there. His castle, situated in the territories of the marshals of Mirepoix, had never opened its gates to the Frenchmen. Its almost inaccessible peak had been sedulously strengthened with all that military experience could suggest or earnest devotion could execute. Ever since the persecutions of the Inquisition commenced we hear of those who fled to Montségur when they found the inquisitor's hand descending upon them. Dispossessed knights, *faidits* of all kinds, brought their swords to its defence; Catharan bishops and ministers sought it when hard pressed, or made it a resting-place in their arduous and dangerous mission-work. Raymond de Péreille himself sought its shelter when, compromised by the revelations of Raymond Gros, he fled from Toulouse, in 1237, with his wife Corba; the devotion of his race to heresy being further proved by the fate of his daughter Esclarmonde, who perished for her faith at the stake, and by the Catharan episcopate of his brother Arnaud Roger. Such a stronghold in the hands of desperate men, fired with the fiercest fanaticism, was a menace to the stability of the new order in the State; to the Church it was an accursed spot whence heresy might at any moment burst forth to overspread the land again. Its destruction had long been the desire of all good Catholics, and Raymond's pledge to King Louis, March 14, 1241, to capture it had

been one of the conditions on which his suspicious relations with Trencavel had been condoned. In fact, he made some show of besieging it during the same year, but success would have been most damaging to the plans which he was nursing, and his efforts can scarce have been more than a cover for military preparations destined to a far different object. The French army, after the suppression of the rising, also laid siege to Montségur, but were unable to effect its reduction.*

On Ascension night, 1242, while Pierre Cella was tranquilly winding up his work at Montauban, the world was startled with the news that a holocaust of the terrible inquisitors had been made at Avignonet, a little town about twelve leagues from Toulouse. The stern Guillem Arnaud and the courteous Étienne de Saint-Thibery were making, like their colleague Pierre Cella, a circuit through the district subjected to their mercy. Some of their sentences which have been preserved show that in November, 1241, they were laboring at Lavaur and at Saint-Paul de Caujoux, and in the spring of 1242 they came to Avignonet.† Raymond d'Alfaro was its bailli for the count, who was his uncle through his mother, Guillemetta, a natural daughter of Raymond VI. When he heard that the inquisitors and their assistants were coming he lost no time in preparing for their destruction. A swift messenger was despatched to the heretics of Montségur, and in answer to his summons Pierre Roger of Mirepoix, with a number of knights and their retainers, started at once. They halted in the forest of Gaiac, near Avignonet, where food was brought them, and they were joined by about thirty armed men of the vicinage, who waited with them till after nightfall. Had this plot failed, d'Alfaro had arranged another for an ambuscade on the road to Castelnaudary, and the fact that so extensive a conspiracy could be organized on the spot, without finding a traitor to betray it, shows how general was the hate that had been earned by the cruel work of the Inquisition. Not less significant is the fact that on their return to Montségur the murderers were hospitably entertained at the Château de Saint-Félix by a priest who was cognizant of their bloody deed.

The victims came unsuspectingly to the trap. There were

* Pelisso Chron. pp. 49–50. — Coll. Doat, XXII. 216–17, 224, 228. — Schmidt, Cathares I. 315, 324.

† Coll. Doat, XXI. 153, 155, 158.

eleven in all. The two inquisitors, with two Dominican friars, and one Franciscan, the Benedictine Prior of Avignonet, Raymond de Costiran, Archdeacon of Lezat, a former troubadour, of whose verses only a single obscene song remains, a clerk of the archdeacon, a notary, and two apparitors — in all a court fully furnished for the despatch of business. They were hospitably received and housed in the castle of the count, where on the morrow they were to open their dread tribunal for the trembling inhabitants. When darkness came a selected band of twelve, armed with axes, left the forest and stole cautiously to a postern of the castle, where they were met by Golairan, a comrade of d'Alfaro, who assured himself that all was right, and returned to see what the inquisitors were doing. Coming back, he reported that they were drinking; but a second visit, after an interval, brought the welcome news that they were going to bed. As though apprehensive of danger, they had remained together in the great hall, and had barricaded the door. The gate was opened, the men of Montségur were admitted and were joined by d'Alfaro, armed with a mace, and twenty-five men of Avignonet, and the fact that an esquire in the service of the inquisitors was with him indicates that there was treachery at work. The hall-door was quickly broken down, the wild band of assassins rushed in, and, after despatching their victims, there was a fierce chorus of gratified vengeance, each man boasting of his share in the bloody deed — d'Alfaro especially, who shouted "*Va be, esta be,*" and claimed that his mace had done its full duty in the murderous work. Its crushing of Guillem Arnaud's skull had deprived Pierre Roger de Mirepoix, the second in command at Montségur, of the drinking-cup which he had demanded as his reward for the assistance furnished. The plunder of the victims was eagerly shared between the assassins — their horses, books, garments — even to their scapulars. When the news reached Rome, the College of Cardinals made haste to express their belief that the victims had become blessed martyrs of Jesus Christ, and one of the first acts of Innocent IV., after his installation in June, 1243, was to repeat this declaration; but they never were canonized, in spite of frequent requests to the Holy See, and of the numerous miracles which attested their sanctity in the popular cult, until, in 1866, Pius IX. gave them tardy recognition.*

* Vaissette, III. 431; Pr. 438-42. — Doat, XXIV. 160. — Guill. Pod. Laur. c.

Like the murder of the legate Pierre de Castelnau, in 1208, the massacre of Avignonet was a fatal error. Its violation of the traditional sanctity of the ecclesiastic sent a thrill of horror even among those who had small sympathy with the cruelty of the Inquisition, while the deliberateness of its planning and its unsparing ferocity gave color to the belief that heresy was only to be extirpated by force. Sympathy, indeed, for a time might well change sides, for the massacre was practically unavenged. Frère Ferrer, the Inquisitor of Carcassonne, made due inquest into the affair, and after the capture of Montségur, in 1244, some of the participants confessed all the details, but the real culprits escaped. Count Raymond, it is true, when he had leisure from pressing business, hanged a few of the underlings, but we find Raymond d'Alfaro, in 1247, promoted to be Viguier of Toulouse, and representing his master in the proceedings with regard to the burial of the old count, and, finally, he was one of the nine witnesses to Raymond's last will. Another ringleader, Guillem du Mas-Saintes-Puelles, is recorded as taking the oath of allegiance to Count Alfonse, in 1249, after the death of Raymond. Guillem's participation in the murders has special interest, as showing the antagonism created by the violence of the Inquisition, for in 1233, as Bailli of Lavaur, he had dutifully seized a number of heretics and carried them to Toulouse, where they were promptly burned.*

The massacre of Avignonet came at a time peculiarly unfortunate for Count Raymond, who was nursing comprehensive and far-reaching plans, then ripe for execution, for the rehabilitation of his house and the independence of his land. He could not escape the responsibility for the catastrophe which public opinion

45.—Peyrat, Les Albigeois et l'Inquisition, II. 304.—Diez, Leben und Werke der Troubadours, p. 491.—Ripoll I. 117.—Analecta Franciscana, Quaracchi, 1887, II. 65.

The Catholic tradition at Avignonet was that some of the inquisitors' followers escaped to the church, where they were massacred with a number of Catholic inhabitants who had sought refuge there. In consequence of this pollution the church remained unused for forty years, and the anniversary of its reconciliation, on the first Tuesday in June, was still, in the last century, celebrated with illuminations and rejoicing as a local feast (Bremond *ap.* Ripoll l. c.).

* Vaissette, III. 456.—Guill. Pod. Laur. c. 45.—Molinier *ap.* Pelisso Chron. p 19.—Molinier, L'Ensevelissement de Raimond VI. p. 21.—Vaissette, Éd. Privat VIII. 1258.

everywhere attached to him. Although he had recently, on March 14, solemnly sworn to persecute heresy with his whole strength when, apparently sick unto death, he had sought absolution at the hands of the episcopal official of Agen, yet he was known to be hostile to the Dominicans as inquisitors, and had bitterly opposed the restoration of their functions. On May 1, just four weeks before the event, he had made a solemn declaration in the presence of numerous prelates and nobles to the effect that he had appealed to Rome against the commission of Dominican inquisitors by the provincial in his territories, and that he intended to prosecute that appeal. He protested that he earnestly desired the eradication of heresy, and urged the bishops to exercise energetically their ordinary power to that end, promising his full support to them and the execution of the law both as to confiscation and the death-penalty. He would even accept the friars as inquisitors provided they acted independently of their Orders, and not under the authority of their provincials. One of his baillis even threatened, in the church of Moissac, seizure of person and property for all who should submit to the penalties imposed by the inquisitors, as they were not authorized by the count to administer justice. Such being his position, it was inevitable that he should be regarded as an accomplice in the murders, and that the cause which he represented should suffer greatly in the revulsion of public feeling which it occasioned.*

Raymond had been busy in effecting a widespread alliance which should wring from the House of Capet its conquests of the last quarter of a century. He had been joined by the Kings of England, Castile, and Aragon, and the Count de la Marche, and everything bid fair for his reconquest of his old domains. The massacre of Avignonet was a most untoward precursor of the revolt which burst forth immediately afterwards. It shook the fidelity of some of his vassals, who withdrew their support; and, to counteract its impression, he felt obliged to convert his sham siege of Montségur into an active one, thus employing troops which he could ill spare. Yet the rising, for a while, promised success, and Raymond even reassumed his old title of Duke of

* Teulet, Layettes, II. 466.—Maj. Chron. Lemovicens. ann. 1242 (Bouquet, XXI. 765).—Vaissette, III. Pr. 410.—Guill. Pod. Laur. c. 45.—Schmidt, Cathares, I. 320.—Bern. Guidon. Vit. Cœlestin. PP. IV. (Muratori S. R. I. III. 589).

Narbonne. King Louis, however, was equal to the occasion, and allowed the allies no time to concentrate their forces. His victories over the English and Gascons at Taillebourg and Saintes, July 19 and 23, deprived Raymond of all hope of assistance from that quarter. Pestilence forced the withdrawal of the main army of Louis, but a force under the veteran Imbert de Beaujeu operated actively against Raymond, who, without help from his allies and deserted by many of his vassals, was obliged to lay down his arms, December 22. When suing for peace he pledged himself to extirpate heresy and to punish the assassins of Avignonet with an effusiveness which shows the importance attached to these conditions. The sagacity and moderation of King Louis granted him easy terms, but one of the stipulations of settlement was that every male inhabitant over the age of fifteen should take an oath to assist the Church against heresy, and the king against Raymond, in case of another revolt. Thus the purity of the faith and the supremacy of the foreign domination were once again recognized as inseparably allied.*

The triumph of both had been secured. This ended the last serious effort of the South to recover its independence. Henceforth, under the treaty of Paris, it was to pass irrevocably into the hands of the stranger, and the Inquisition was to have unrestricted opportunity to enforce conformity in religion. It was in vain that Raymond again, at the Council of Béziers, April 20, 1243, summoned the bishops of his dominions—those of Toulouse, Agen, Cahors, Albi, and Rodez — urging them personally or through proper deputies, whether Cistercians, Dominicans, or Franciscans, to make diligent inquisition after heresy, and pledged the assistance of the secular arm for its extirpation. It was equally in vain that, immediately on the accession of Innocent IV., in June, a deputation of Dominicans, frightened by the warning of Avignonet, earnestly alleged many reasons why the dangerous burden should be lifted from their shoulders. The pope peremptorily refused, and ordered them to continue their holy labors, even at the risk of martyrdom.†

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* Vaissette, III. 434–7, 439. — Teulet, Layettes, II. 470, 481–2, 484, 487, 488. 489, 493, 495, etc.

† Vaissette, III. Pr. 425. — Ripoll I. 118. Innocent's bull is dated July 10,

Despite this single exhibition of hesitation and weakness, the Order was not lacking in men whose eager fanaticism rendered them fully prepared to accept the perilous post. The peril, indeed, was apparent rather than real — it had passed away in the revulsion which followed the useless bloodshed of Avignonet and the failure of Raymond's rebellion. There was a rising tide in favor of orthodoxy. A confraternity organized in October, 1243, by Durand, Bishop of Albi, is probably only the expression of what was going on in many places. Organized under the protection of St. Cecilia, the members of the association pledged themselves not only to mutual protection, but to aid the bishop to execute justice on heretics, Vaudois and their fautors, and to defend inquisitors as they would their own bodies. Any member suspected of heresy was to be incontinently ejected, and a reward of a silver mark was offered for every heretic captured and delivered to the association. The new pope had, moreover, spoken in no uncertain tone. His refusal to relieve the Dominicans was accompanied with a peremptory command to all the prelates of the region to extend favor, assistance, and protection to the inquisitors in their toils and tribulations. Any slackness in this was freely threatened with the papal vengeance, while favor was significantly promised as the reward of zeal. The Dominicans were urged to fresh exertion to overcome the threatened recrudescence of heresy. A new legate, Zoen, Bishop-elect of Avignon, was also despatched to Languedoc, with instructions to act vigorously. His predecessor had been complained of by the inquisitors for having, in spite of their remonstrances, released many of their prisoners and remitted penances indiscriminately. All such acts of misplaced mercy were pronounced void, and Zoen was ordered to reimpose all such penalties without appeal.*

Still more menacing to the heretic cause was the reconciliation at last effected between Raymond and the papacy. In September, 1243, the count visited Italy, where he had an interview with Frederic II. in Apulia, and with Innocent in Rome. For ten years

1243, within a fortnight after his election. The deputation had evidently been sent to Celestin IV., and the bull had been prepared in advance, awaiting the election of a successor.

* Archives de l'Évêché d'Albi (Doat, XXXI. 47).—Archives de l'Inq. de Carcassonne (Doat, XXXI. 63, 65, 97).—Berger, Registres d'Innocent IV. No. 31, 102.

he had been under excommunication, and had carried on an unavailing struggle. He could no longer cherish illusions, and was doubtless ready to give whatever assurances might be required of him. On the other hand, the new pope was free from the predispositions which the long strife had engendered in Gregory IX. There seems to have been little difficulty in reaching an understanding, to which the good offices of Louis IX. powerfully contributed. December 2, Raymond was released from his various excommunications; January 1, 1244, the absolution was announced to King Louis and the prelates of the kingdom, who were ordered to publish it in all the churches, and January 7 the Legate Zoen was instructed to treat him with fatherly affection and not permit him to be molested. In all this absolution had only been given *ad cautelam*, or provisionally, for a special excommunication had been decreed against him as a fautor of heretics, after the massacre of Avignonet, by the inquisitors Ferrer and Guillem Raymond. Against this he had made a special appeal to the Holy See in April, 1243, and a special bull of May 16, 1244, was required for its abrogation. No conditions seem to have been imposed respecting the long-deferred crusade, and thenceforth Raymond lived in perfect harmony with the Holy See. Indeed, he was the recipient of many favors. A bull of March 18, 1244, granted him the privilege that for five years he should not be forced by apostolic letters to answer in judgment outside of his own dominions; another of April 27, 1245, took him, his family, and lands under the special protection of St. Peter and the papacy; and yet another of May 12, 1245, provided that no delegate of the Apostolic See should have power to utter excommunication or any other sentence against him without a special mandate. Besides this, one of April 21, 1245, imposed some limitations on the power of inquisitors, limitations which they seem never to have observed. Raymond was fairly won over. He had evidently resolved to accommodate himself to the necessities of the time, and the heretic had nothing further to hope or the inquisitor to fear from him. The preparation for increased and systematic vigor of operations is seen in the elaborate provisions, so often referred to above, of the Council of Narbonne, held at this period.*

* Vaissette, III. 443; Pr. 411, 433-4.—Potthast No. 10943, 11187, 11218,

Yet so long as heresy retained the stronghold of Montségur as a refuge and rallying-point its secret and powerful organization could not be broken. The capture of that den of outlaws was a necessity of the first order, and as soon as the confusion of the rebellion of 1242 had subsided it was undertaken as a crusade, not by Raymond, but by the Archbishop of Narbonne, the Bishop of Albi, the Seneschal of Carcassonne, and some nobles, either led by zeal or by the hope of salvation. The heretics, on their side, were not idle. Some baillis of Count Raymond sent them Bertrand de la Bacalairia, a skilful maker of military engines, to aid them in the defence, who made no scruple in affirming that he came with the assent of the count, and from every side money, provisions, arms, and munitions of war were poured into the stronghold. In the spring of 1243 the siege began, prosecuted with indefatigable ardor by the besiegers, and resisted with desperate resolution by the besieged. As in the old combats at Toulouse, the women assisted their warriors, and the venerable Catharan bishop, Bertrand Martin, animated their devoted courage with promises of eternal bliss. It is significant of the public temper that sympathizers in the besiegers' camp permitted tolerably free communication between the besieged and their friends, and gave them warning of the plans of attack. Even the treasure which had been stored up in Montségur was conveyed away safely through the investing lines, about Christmas, 1243, to Pons Arnaud de Châteauverdun in the Savartès. Secret relations were maintained with Count Raymond, and the besieged were buoyed up with promises that if they would hold out until Easter, 1244, he would march to their relief with forces supplied by the Emperor Frederic II. It was all in vain. The siege dragged on its weary length for nearly a year, till, on the night of March 1, 1244, guided by some shepherds who betrayed their fellow-countrymen, by almost inaccessible paths among the cliffs, the crusaders surprised and carried one of the outworks. The castle was no longer tenable. A brief parley ensued, and the garrison agreed to surrender at dawn, delivering up to the archbishop all the perfected heretics among them,

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11390, 11638. — Teulet, Layettes, II. 523, 524, 528, 534. — D'Achery, III. 621. — Berger, Registres d'Innocent IV. No. 21, 267, 360, 364, 594, 697, 1283. — Douais, Les sources de l'histoire de l'Inquisition (loc. cit. p. 415).

on condition that the lives of the rest should be spared. Although a few were let down from the walls with ropes and thus escaped, the capitulation was carried out, and the archbishop's shrift was short. At the foot of the mountain-peak an enclosure of stakes was formed, piled high with wood, and set on fire. The Perfect were asked to renounce their faith, and on their refusal were cast into the flames. Thus perished two hundred and five men and women. The conquerors might well write exultingly to the pope, "We have crushed the head of the dragon!" *

Although the lives of the rest of the captives were guaranteed, they were utilized to the utmost. For months the inquisitors Ferrer and P. Durant devoted themselves to the examinations to secure evidence against heretics far and near, dead and alive. From the aged Raymond de Péreille to a child ten years of age, they were forced, under repeated interrogatories, to recall every case of adoration and heretication that they could remember, and page after page was covered with interminable lists of names of those present at sermons and *consolamenta* through a period extending back to thirty or forty years before, and embracing the whole land as far as Catalonia. Even those who had brought victual to Montségur and sold it were carefully looked after and set down. It can readily be conceived what an accession was made to the terrible records of the Inquisition, and how valuable was the insight obtained into the ramifications of heresy throughout the land during more than a generation—what digging up of bones would follow with confiscation of estates, and with what unerring certainty the inquisitors would be able to seize their victims and confound their denials. We can only guess at the means by which this information was extracted from the prisoners. Torture had not yet been introduced; life had been promised, and perpetual imprisonment was inevitable for such pronounced heretics; and when we see Raymond de Péreille himself, who had endured unflinchingly the vicissitudes of the crusades, and had bravely held out to the last, ransacking his memory to betray all whom he had ever seen adore a minister, we can imagine the horrors of the two

* Guill. Pod. Laur. c. 46.—Coll. Doat, XXII. 204, 210; XXIV. 76, 80, 168–72, 181.—Schmidt, Cathares, I. 325.—Peyrat, Les Albigeois et l'Inquisition, II. 363 sqq.

months' preliminary captivity which had so broken his spirit as to bring him to this depth of degradation. Even a perfected heretic, Arnaud de Bretos, captured while flying to Lombardy, was induced to reveal the names of all who had given him shelter and attended his ministrations during his missionary wanderings.*

Henceforth the Cathari could hope only in God. All chance of resistance was over. One by one their supports had broken, and there was only left the passive resistance of martyrdom. The Inquisition could track and seize its victims at leisure, and king and count could follow with decrees of confiscation which were gradually to transfer the lands of the South to orthodox and loyal subjects. The strongest testimony that can be given to the living earnestness of the Catharan faith is to be found in the prolongation of this struggle yet through three hopeless generations. It is no wonder, however, if the immediate effect of these crowding events was to fill the heretics with despair. In the poem of Isarn de Villemur, written about this period, the heretic, Sicard de Figueras is represented as saying that their best and most trusted friends are turning against them and betraying them. How many believers at this juncture abandoned their religion, even at the cost of lifelong imprisonment, we have no means of accurately estimating, but the number must have been enormous, to judge from the request, already alluded to, of the Council of Narbonne about this time to the inquisitors to postpone their sentences in view of the impossibility of building prisons sufficient to contain the crowds who hurried in to accuse themselves and seek reconciliation, after the expiration of the time of grace, which Innocent IV., in December, 1243, had ordered to be designated afresh.†

Yet, in a population so thoroughly leavened with heresy, these thousands of voluntary penitents still left an ample field of activity for the zeal of the inquisitors. Each one who confessed was bound to give the names of all whom he had seen engaged in heretical acts, and of all who had been hereticated on the death-bed. Innumerable clews were thus obtained to bring to trial those who failed to accuse themselves, and to exhume and burn the bones of those who were beyond the ability to recant. For the next few

* Collection Doat, XXII. 202, 214, 237; XXIV. 68, 160, 182, 198.

† Millot, Troubadours, II. 77.—Berger, Registres d'Innocent IV. No. 37.

years the life of the inquisitors was a busy one. The stunned populations no longer offered resistance, and grew used to the despair of the penitents sentenced to perpetual prison, the dragging of decomposed corpses through the streets, and the horror of the Tophets where the victims passed through temporal to eternal flame. Still there is a slight indication that the service was not wholly without danger from the goadings of vengeance or the courage of despair, when the Council of Béziers, in 1246, ordering travelling inquests, makes exception in the cases when it may not be safe for the inquisitors to personally visit the places where the inquisition should be held; and Innocent IV., in 1247, authorizes the inquisitors to cite the accused to come to them, in view of the perils arising from the ambushes of heretics.*

The fearless and indefatigable men who now performed the functions of inquisitor in Languedoc can rarely have taken advantage of this concession to weakness. Bernard de Caux, who so well earned the title of the hammer of heretics, was at this time the leading spirit of the Inquisition of Toulouse, after a term of service in Montpellier and Agen, and he had for colleague a kindred spirit in Jean de Saint-Pierre. Together they made a thorough inquest over the whole province, passing the population through a sieve with a completeness which must have left few guilty consciences unexamined. There is extant a fragmentary record of this inquest, covering the years 1245 and 1246, during which no less than six hundred places were investigated, embracing about one half of Languedoc. The magnitude of the work thus undertaken, and the incredible energy with which it was pushed, is seen in the enormous number of interrogatories recorded in petty towns. Thus at Avignonet there are two hundred and thirty; at Fanjoux, one hundred; at Mas-Saintes-Puelles, four hundred and twenty. M. Molinier, to whom we are indebted for an account of this interesting document, has not made an accurate count of the whole number of cases, but estimates that the total cannot fall far short of eight thousand to ten thousand. When we consider what all this involved in the duty of examination and comparison we may well feel wonder at the superhuman energy of these founders of the Inquisition; but we may also assume, as

* Concil. Biterrens. ann. 1246, Consil. ad Inquis. c. 1.—Ripoll, I. 179.

with the sentences of Pierre Cella, that the fate of the victims who were sifted out of this mass of testimony must have been passed upon with no proper or conscientious scrutiny. At least, however, they must have escaped the long and torturing delays customary in the later and more leisurely stages of the Inquisition. With such a record before us it is not easy to understand the complaint of the bishops of Languedoc, in 1245, that the Inquisition was too merciful, that heresy was increasing, and that the inquisitors ought to be urged to greater exertions. It was possibly in consequence of the lack of harmony thus revealed between the episcopate and the Inquisition that Innocent, in April of the same year, ordered the Inquisitors of Languedoc to proceed as usual in cases of manifest heresy, and in those involving slight punishment, while he directed them to suspend proceedings in matters requiring imprisonment, crosses, long pilgrimages, and confiscation until definite rules should be laid down in the Council of Lyons, which he was about to open. These questions, however, were settled in that of Béziers, which met in 1246, and issued a new code of procedure.*

In all this Count Raymond, now thoroughly fitted in the Catholic groove, was an earnest participant. As his stormy life drew to its close, harmony with the Church was too great an element of comfort and prosperity for him to hesitate in purchasing it with the blood of a few of his subjects, whom, indeed, he could scarce have saved had he so willed. He gave conspicuous evidence of his hatred of heresy. In 1247 he ordered his officials to compel the attendance of the inhabitants at the sermons of the friars in all towns and villages through which they passed, and in 1249, at Berlaiges, near Agen, he coldly ordered the burning of eighty believers who had confessed their errors in his presence—a piece of cruelty far transcending that habitual with the inquisitors. About the same time King Jayme of Aragon effected a change in the Inquisition in the territories of Narbonne. Possibly this may have had some connection with the murder by the citizens of two

* Doat, XXII. 217. — Molinier, L'Inquisition dans le midi de la France, pp. 186–90.—See also Peyrat, Les Albigeois et l'Inq. III. 467–73.—Vaissette, III. Pr. 446–8.—Teulet, Layettes, II. 566.

M. l'Abbé Douais (loc. cit. p. 419) tells us that the examinations in the inquest of Bernard de Caux number five thousand eight hundred and four.

officials of the Inquisition and the destruction of its records, giving endless trouble in the effort to reconstruct the lists of sentences and the invaluable accumulation of evidence against suspects. Be this as it may, Innocent IV., at the request of the king, forbade the archbishop and inquisitors from further proceedings against heresy, and then empowered the Dominican Provincial of Spain and Raymond of Pennaforte to appoint new ones for the French possessions of Aragon.*

When St. Louis undertook his disastrous crusade to Damietta he was unwilling to leave behind him so dangerous a vassal as Raymond. The vow of service to Palestine had long since been remitted by Innocent IV., but the count was open to persuasion, and the bribes offered show at once the importance attached to his presence with the host and to his absence from home. The king promised him twenty thousand to thirty thousand livres for his expenses and the restitution of the duchy of Narbonne on his return. The pope agreed to pay him two thousand marks on his arrival beyond seas, and that he should have during his absence all the proceeds of the redemption of vows and all legacies bequeathed to the crusade. The prohibition of imposing penitential crusades on converted heretics was also suspended for his benefit, while the other long pilgrimages customarily employed as penances were not to be enjoined while he was in service. Stimulated by these dazzling rewards, he assumed the cross in earnest, and his ardor for the purity of the faith grew stronger. Even the tireless activity of Bernard de Caux was insufficient to satisfy him. While that incomparable persecutor was devoting all his energies to working up the results of his tremendous inquests, Raymond, early in 1248, complained to Innocent that the Inquisition was neglecting its duty; that heretics, both living and dead, remained uncondemned; that others from abroad were coming into his own and neighboring territories and spreading their pestilence, so that the land which had been well-nigh purified was again filled with heresy.†

Death spared Raymond the misfortunes of the ill-starred Egyptian crusade. When his preparations were almost complete he

* Vaissette, III. 457, 459; Pr. 467.—Guill. Pod. Laur. c. 48.—Baluz. et Mansi I. 210.—Arch. de l'Inq. de Carcassonne (Doat, XXXI. 105, 149).—Ripoll, I. 184.

† Vaissette, III. 455-6; Pr. 468, 469.—Arch. de l'Inq. de Carc. (Doat, XXXI. 77, 79, 80).—Martene Thesaur. I. 1040.

was seized with mortal illness and died, September 27, 1249, with his latest breath ordering his heirs to restore the sums which he had received for the expedition, and to send fifty knights to serve in Palestine for a year. That his death was generally regretted by his subjects we can readily believe. Not only was it the extinction of the great house which had bravely held its own from Carlovingian times, but the people felt that the last barrier between them and the hated Frenchmen was removed. The heiress Jeanne had been educated at the royal court, and was French in all but birth. Moreover, she seems to have been a nonentity whose influence is imperceptible, and the sceptre of the South passed into the hands of Alphonse of Poitiers, an avaricious and politic prince, whose zeal for orthodoxy was greatly stimulated by the profitable confiscations resulting from persecution. Raymond had required repeated urging to induce him to employ this dreaded penalty with the needful severity. No such watchfulness was necessary in the case of Alphonse. When the rich heritage fell in, he and his wife were with his brother, King Louis, in Egypt, but the vigilant regent, Queen Blanche, promptly took possession in their name, and on their return, in 1251, they personally received the homage of their subjects. By a legal subtlety Alphonse evaded the payment of the pious legacies of Raymond's will, and compounded for it by leaving, on his departure for the North, a large sum to provide for the expenses of the Inquisition, and to furnish wood for the execution of its sentences. Not long afterwards we find him urging his bishops to render more efficient support to the labors of the inquisitors; in his chancery there was a regular formula of a commission for inquisitors, to be sent to Rome for the papal signature; and throughout his twenty years of reign he pursued the same policy without deviation. The urgency with which, in December, 1268, he wrote to Pons de Poyet and Étienne de Gâtine, stimulating them to redoubled activity in clearing his dominions of heretics, was wholly superfluous, but it is characteristic of the line of action which he carried out consistently to the end.*

The fate of Languedoc was now irrevocably sealed. Hitherto

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* Martene Thesaur. I. 1044.—Vaissette, III. 465.—Vaissette, Éd. Privat, VIII. 1255, 1292, 1333, 1583.—Guill. Pod. Laur. c. 48.—Mary-Lafon, Hist. du midi de la France, III. 33, 49.—Arch. de l'Inq. de Carcass. (Doat, XXXI. 250).

there had been hopes that perhaps Raymond's inconstancy might lead him to retrace the steps of the last few years. Moreover, his subjects had shared in the desire, manifested in his repeated marriage projects, that he should have an heir to inherit the lands not pledged in succession to his daughter. He was but in his fifty-first year, and the expectation was not unreasonable that his line might be perpetuated and the southern nationality be preserved. All this was now seen to be a delusion, and the most sanguine Catharan could look forward to nothing but a life of concealment ending in prison or fire. Yet the heretic Church stubbornly held its own, though with greatly diminished numbers. Many of its members fled to Lombardy, where, even after the death of Frederic II., the civic troubles and the policy of local despots, such as Ezzelin da Romano, afforded some shelter from the Inquisition. Yet many remained and pursued their wandering missions among the faithful, perpetually tracked by inquisitorial spies, but rarely betrayed. These humble and forgotten men, hopelessly braving hardship, toil, and peril in what they deemed the cause of God, were true martyrs, and their steadfast heroism shows how little relation the truth of a religion bears to the self-devotion of its followers. Rainerio Saccone, the converted Catharan, who had the best means of ascertaining the facts, computes, about this time, that there were in Lombardy one hundred and fifty "perfected" refugees from France, while the churches of Toulouse, Carcassonne, and Albi, including that of Agen, then nearly destroyed, numbered two hundred more. These figures would indicate that a very considerable congregation of believers still existed in spite of the systematic and ruthless proscription of the past twenty years. Their earnestness was kept alive, not only by the occasional and dearly-prized visits of the travelling ministers, but by the frequent intercourse which was maintained with Lombardy. Until the disappearance of the sect on this side of the Alps, there is, in the confessions of penitents, perpetual allusion to these pilgrimages back and forth, which kept up the relations between the refugees and those left at home. Thus, in 1254, Guillem Fournier, in an interrogatory before the Inquisition of Toulouse, relates that he started for Italy with five companions, including two women. His first resting-place was at Coni, where he met many heretics; then at Pavia, where he was hereticated by Raymond

Mercier, former deacon of Toulouse. At Cremona he lived for a year with Vivien, the much-loved Bishop of Toulouse, with whom he found a number of noble refugees. At Pisa he stayed for eight months; at Piacenza he again met Vivien, and he finally returned to Languedoc with messages from the refugees to their friends at home. In 1300, at Albi, Étienne Mascot confesses that he had been sent to Lombardy by Master Raymond Calverie to bring back Raymond André, or some other perfected heretic. At Genoa he met Bertrand Fabri, who had been sent on the same errand by Guillem Golfier. They proceeded together and met other old acquaintances, now refugees, who conducted them to a spot where, in a wood, were several houses of refuge for heretics. The lord of the place gave them a Lombard, Guglielmo Pagani, who returned with them. In 1309 Guillem Falquet confessed at Toulouse to having been four times to Como, and even to Sicily, organizing the Church. He was caught while visiting a sick believer, and condemned to imprisonment in chains, but managed to escape in 1313. At the same time was sentenced Raymond de Verdun, who had likewise been four times to Lombardy.*

The proscribed heretics, thus nursing their faith in secret, gave the inquisitors ample occupation. As their ranks were thinned by persecution and flight, and as their skill in concealment increased with experience, there could no longer be the immense harvests of penitents reaped by Pierre Cella and Bernard de Caux, but there were enough to reward the energies of the friars and to tax

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* Rainer. Summa (Mart. Thesaur. V. 1768).—Molinier, L'Inquis. dans le midi de la France, pp. 254–55. — MSS. Bib. Nat., fonds latin, No. 11847. — Lib. Sententt. Inq. Tolos. pp. 13, 14. — See also the curious account of Ivo of Narbonne in Matt. Paris, ann. 1243, p. 412–13 (Ed. 1644).

The Abbé Douais, in his analysis of the fragments of the "Registre de l'Inquisition de Toulouse" of 1254 and 1256, tells us that it contains the names of six hundred and thirteen accused belonging to the departments of Aude, Ariège, Gers, Aveyron, and Tarne-et-Garonne, the greater part of whom were Perfects. That this is evidently an error is shown by the statistics of Rainerio Saccone, quoted in the text. At this time, in fact, the whole Catharan Church, from Constantinople to Aragon, contained only four thousand Perfects. Still the number of accused shows the continued existence of heresy as a formidable social factor and the successful activity of the Inquisition in tracking it. In this register eight witnesses contribute one hundred and seven names to the list of accused (Sources de l'hist. de l'Inquisition, loc. cit. pp. 432–33).

the adroitness of their spies. The organization of the Inquisition, moreover, was gradually perfected. In 1254 the Council of Albi carefully revised the regulations concerning it. Fixed tribunals were established, and the limitations of the inquisitorial districts were strictly defined. For Provence and the territories east of the Rhone, Marseilles was the headquarters, eventually confided to the Franciscans. The rest of the infected regions were left to the Dominicans, with tribunals at Toulouse, Carcassonne, and Narbonne; and, from such fragmentary documents as have reached us, at this time the Inquisition at Carcassonne rivalled that of Toulouse in energy and effectiveness. For a while safety was sought by heretics in northern France, but the increasing vigor of the Inquisition established there drove the unfortunate refugees back, and in 1255 a bull of Alexander IV. authorized the Provincial of Paris and his inquisitors to pursue the fugitives in the territories of the Count of Toulouse. At the same time the special functions of the inquisitors were jealously guarded against all encroachments. We have seen how, in its early days, it was subjected to the control of papal legates, but now that it was firmly established and thoroughly organized it was held independent; and when the legate Zoen, Bishop of Avignon, in 1257, endeavored, in virtue of his legatine authority, which fourteen years before had been so absolute, to perform inquisitorial work, he was rudely reminded by Alexander IV. that he could do so if he pleased in his own diocese, but that outside of it he must not interfere with the Inquisition. To this period is also to be ascribed the complete subjection of all secular officials to the behests of the inquisitors. The piety of St. Louis and the greed of Alphonse of Poitiers and Charles of Anjou rivalled each other in placing all the powers of the State at the disposal of the Holy Office, and in providing for its expenses. It was virtually supreme in the land, and, as we have seen, it was a law unto itself.*

The last shadow of open resistance was dissipated in the year 1255. After the fall of Montségur the proscribed and disinher-

* MSS. Bib. Nat., fonds latin, Nouv. Acquis. 139.—Molinier, op. cit. p. 404.—Ripoll I. 273-4.—Arch. Nat. de France, J. 431, No. 34.—Arch. de l'Inq. de Carc. (Doat, XXXI. 239, 250, 252).—Vaissette, III. Pr. 528, 536.—Arch. di Napoli, Regestro 6, Lettere D, fol. 180.

ited knights, the *faidits*, and the heretics had sought to establish among the mountains some stronghold where they could feel safe for a moment. Driven from one retreat after another, they finally took possession of the castle of Quéribus, in the Pyrenees of Fenouillèdes. In the early spring of 1255 this last refuge was besieged by Pierre d'Auteuil, the royal Seneschal of Carcassonne. The defence was stubborn. May 5 the seneschal appealed to the bishops sitting in council at Béziers to give him assistance, as they had done so energetically at Montségur. The reply of the prelates was commendably cautious. They were not bound, they said, to render military service to the king, and when they had joined his armies it had been by command of a legate or of their primate, the Archbishop of Narbonne. Nevertheless, as common report described Quéribus as a receptacle of heretics, thieves, and robbers, and its reduction was a good work for the faith and for peace, they would each one, without derogating from his rights, furnish such assistance as seemed to him fitting. It may be assumed from this that the seneschal had to do the work unaided; in fact, he complained to the king that the prelates rather impeded than assisted him, but by August the place was in his hands, and nothing remained for the outlaws but the forest and the caverns. In that savage region the dense undergrowth afforded many a hiding-place, and an attempt was made to cut away the briers and thorns which served as shelter for ruined noble and hunted Catharan. The work was undertaken by a certain Bernard, who thence acquired the name of Espinasser or thorn-cutter. Popular hatred has preserved his remembrance, and expresses its sentiment in a myth which gibbets him in the moon.*

With the land at its feet, the Inquisition, in the plenitude of its power, had no hesitation in attacking the loftiest nobles, for all men were on a level in the eyes of the Most High, and the Holy Office was the avenger of God. The most powerful vassal of the houses of Toulouse and Aragon was the Count of Foix, whose extensive territories on both sides of the Pyrenees rendered him almost independent in his mountain fastnesses. Count Roger Bernard II., known as the Great, had been one of the bravest and

* Concil. Biterrens. ann. 1255.—Vaissette, III. 482–3; IV. 17.—A. Molinier (Vaissette, Éd. Privat, VI. 843).—Peyrat, op. cit. III. 54.

most obstinate defenders of the land, and, after the pacification of 1229, Raymond had been obliged to threaten him with war to force him to submit. His memory was proudly treasured in the land as "*Rogier Bernat lo pros et sens dengun reproche.*" His family was deeply tinctured with heresy. His wife and one of his sisters were Waldenses, another sister was a Catharan, and the monk of Vaux-Cernay describes him as an enemy of God and a cruel persecutor of the Church. Yet, when he yielded in 1229, although he does not seem to have energetically fulfilled his oath to persecute heresy in his domains, for in 1233 we hear of his holding a personal conference at Aix with the heretic bishop Bertrand Martin, he was in other respects a loyal subject and faithful son of the Church. In 1237 he counselled his son, then Vizconde de Castelbo in Aragon, to allow the Inquisition in his lands, which resulted in the condemnation of many heretics, although Ponce, Bishop of Urgel, his personal enemy, had refused to relieve him of excommunication as a fautor of heresy until 1240, when he submitted to the conditions imposed, abjured heresy, and was reconciled. At his death, in 1241, he left liberal bequests to the Church, and especially to his ancestral Cistercian Abbey of Bolbonne, in which he died in monkish habit, after duly receiving the sacraments. His son, Roger IV., gave the *coup de grâce* to the rising of 1242, by placing himself under the immediate sovereignty of the crown, and defeating Raymond after the victories of St. Louis had driven back the English and Gascons. He had some troubles with the Inquisition, but a bull of Innocent IV., in 1248, eulogizes his devotion to the Holy See, and rewards him with the power to release from the saffron crosses six penitents of his choice; and in 1261 he issued an edict commanding the enforcement of the rule that no office within his domains should be held by any one condemned to wear crosses, any one suspected of heresy, or the son of any one similarly defamed.*

All this would seem to give ample guarantee of the orthodoxy and loyalty of the House of Foix, but the Inquisition could not

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* Miguel del Verms, Chronique Bearnaise.—P. Sarnaii Hist. Albigens. c. 6.—Guill. Pod. Laur. c. 8.—Schmidt, Cathares, I. 299.—Vaissette, III. 426, 503; Pr. 383–5, 392–3.—Teulet, Layettes, II. 490.—Bern. Guidon. Vit. Cœlestin. PP. IV. (Muratori, S. R. I. III. 589).—Berger, Registres d'Innocent IV. No. 3530.

condone its ancient patriotism and tolerance. Besides, if Roger Bernard the Great could be convicted of heresy, the confiscation of the broad inheritance would effect a great political object and afford ample spoils for all concerned. Twenty-two years after his death, therefore, in 1263, proceedings were commenced against his memory. A faithful servitor of the old count still survived, Raymond Bernard de Flascan, bailli of Mazères, who had attended his lord day and night during his last sickness. If he could be brought to swear that he had seen heretication performed on the death-bed, the desirable object would be attained. Frère Pons, the Inquisitor of Carcassonne, came to Mazères, found the old man an unsatisfactory witness, and threw him into a dungeon. Suffering under a severe strangury, he was starved and tormented with all the cruel ingenuity of the Inquisition, and interrogated at intervals, without his resolution giving way. This was continued for thirty-two days, when Pons resolved to carry him back to Carcassonne, where possibly the appliances for bringing refractory witnesses to terms were more efficacious. Before the journey, which he expected to be his last, the faithful bailli was given a day's respite at the Abbey of Bolbonne, which he utilized by executing a notarial instrument, November 26, 1263, attested by two abbots and a number of monks, in which he recited the trials already endured, solemnly declared that he had never seen the old count do anything contrary to the faith of Rome, but that he had died as a good Catholic, and that if, under the severe torture to which he expected to be subjected, human weakness should lead him to assert anything else, he would be a liar and a traitor, and no credence should be given to his words. It would be difficult to conceive of a more damning revelation of inquisitorial methods; yet fifty years later, when those methods had been perfected, all concerned in the preparation of the instrument, whether as notary or witnesses, would have been prosecuted as impeders of the Inquisition, to be severely punished as fautors of heresy.*

What became of the poor wretch does not appear. Doubtless he perished in the terrible Mura of Carcassonne under the combination of disease, torture, and starvation. His judicial murder, however, was gratuitous, for the old count's memory remained un-

* Vaissette, III. Pr. 551-3.

condemned. Yet Roger Bernard III., despite the papal favor and the proofs he had given of adhesion to the new order of things, was a perpetual target for inquisitorial malice. When lying in mortal illness at Mazères, in December, 1264, he received from Étienne de Gâtine, then Inquisitor of Narbonne, an imperious order, with threats of prosecution in case of failure, to capture and deliver up his bailli of Foix, Pierre André, who was suspect of heresy and had fled on being cited to appear. The count dared only in reply to express surprise that no notice had been given him that his bailli was wanted, adding that he had issued orders for his arrest, and would have personally joined in the pursuit had not sickness rendered him incapable. At the same time he requested "Apostoli," and appealed to the pope, to whom he retailed his grievances. The inquisitors, he said, had never ceased persecuting him; at the head of armed forces they were in the habit of devastating his lands under pretext of searching for heretics, and they would bring in their train and under their protection his special enemies, until his territories were nearly ruined and his jurisdiction set at naught. He, therefore, placed himself and his dominions under the protection of the Holy See. He probably escaped further personal troubles, for he died two months later, in February, 1265, like his father, in the Cistercian habit, and in the Abbey of Bolbonne; but in 1292 his memory was assailed before Bertrand de Clermont, Inquisitor of Carcassonne. The effort was fruitless, for in 1297 Bertrand gave to his son, Roger Bernard IV., a declaration that the accusation had been disproved, and that neither he nor his father should suffer in person or property in consequence of it.*

When such were the persecutions to which the greatest were exposed it is easy to understand the tyranny exercised over the whole land by the irresponsible power of the inquisitors. No one was so loftily placed as to be beyond their reach, no one so humble as to escape their spies. When once they had cause of enmity with a man there was no further peace for him. The only appeal from them was to the pope, and not only was Rome distant, but the avenue to it lay, as we have seen, in their own hands. Human wickedness and folly have erected, in the world's history, more vio-

* Vaissette, III. Pr. 575–77; IV. Pr. 109.

lent despotisms, but never one more cruel, more benumbing, or more all-pervading.

For the next twenty years there is little worthy of special note in the operations of the Inquisition of Languedoc. It pursued its work continuously with occasional outbursts of energy. Étienne de Gâtine, and Pons de Poyet, who presided over its tribunals for many years, were no sluggards, and the period from 1373 to 1375 rewarded their industry with an abundant harvest. Though heretics naturally grew scarcer with the unintermitting pursuit of so many years, there was still the exhaustless catalogue of the dead, whose exhumation furnished an impressive spectacle for the mob, while their confiscations were welcome to the pious princes, and contributed largely to the change of ownership of land which was a political consummation so desirable. Yet heresy with incredible stubbornness maintained itself, though its concealment grew ever more difficult, and Italy grew less safe as a refuge and less prolific as a source of inspiration.*

In 1271 Alphonse and Jeanne, who had accompanied St. Louis in his unlucky crusade to Tunis, died without issue, during the homeward journey. The line of Raymond was thus extinct, and the land passed irrevocably to the crown. Philippe le Hardi took possession even of the territories which Jeanne had endeavored, as was her right, to alienate by will, and though he surrendered the Agenois to Henry III., he succeeded in retaining Querci. No opposition was made to the change of masters. When, October 8, 1271, Guillaume de Cobardon, royal Seneschal of Carcassonne, issued his orders regulating the new *régime*, one of the first things thought of was the confiscations. All castles and villages which had been forfeited for heresy were taken into the king's hand, without prejudice to the right of those to whom they might belong, thus throwing the burden of proof upon all claimants, and cutting out assigns under alienations. In 1272 Philippe paid a visit to his new territories; it was designed to be peaceful, but some violences committed by Roger Bernard IV. of Foix caused him to come at the head of an army, with which he easily overcame the resistance of the count, occupied his lands, and threw him into a dungeon. Released in 1273, the count in 1276 rendered such assistance in the

* Coll. Doat, XXV. XXVI.—Martene Thesaur. V. 1809.

invasion of Navarre that Philippe took him into favor and restored his castles, on his renouncing all allegiance to Aragon. Thus the last show of independence in the South was broken down, and the monarchy was securely planted on its ruins.*

This consolidation of the south of France under the kings of Paris was not without compensating advantages. The monarch was rapidly acquiring a centralized power, which was very different from the overlordship of a feudal suzerain. The study of the Roman law was beginning to bear fruit in the State as well as in the Church, and the imperial theories of absolutism as inherent in kingship were gradually altering all the old relations. The king's court was expanding into the Parlement, and was training a school of subtle and resolute civil lawyers who lost no opportunity of extending the royal jurisdiction, and of legislating for the whole land in the guise of rendering judgments. In the appeals which came ever more thickly crowding into the Parlement from every quarter, the mailed baron found himself hopelessly entangled in the legal intricacies which were robbing him of his seignorial rights almost without his knowledge; and the Ordonnances, or general laws, which emanated from the throne, were constantly encroaching on old privileges, weakening local jurisdictions, and giving to the whole country a body of jurisprudence in which the crown combined both the legislative and the executive functions. If it thus was enabled to oppress, it was likewise stronger to defend, while the immense extension of the royal domains since the beginning of the century gave it the physical ability to enforce its growing prerogatives.

It was impossible that this metamorphosis in the national institutions could be effected without greatly modifying the relations between Church and State. Thus even the saintliness of Louis IX. did not prevent him from defending himself and his subjects from ecclesiastical domination in a spirit very different from that which any French monarch had ventured to exhibit since the days of Charlemagne. The change became still more manifest under his grandson, Philippe le Bel. Though but seventeen years of age when he succeeded to the throne in 1286, his rare ability and vigor-

* Vaissette, IV. 3–5, 9–11, 16, 24–5.—Baudouin, Lettres inedites de Philippe le Bel, Paris, 1886, p. 125.

ous temper soon led him to assert the royal power in incisive fashion. He recognized, within the boundaries of his kingdom, no superior, secular or spiritual. Had he entertained any scruples of conscience, his legal counsellors could easily remove them. To such men as Pierre Flotte and Guillaume de Nogaret the true position of the Church was that of subjection to the State, as it had been under the successors of Constantine, and in their eyes Boniface VIII. was to their master scarce more than Pope Vigilius had been to Justinian. Few among the revenges of time are more satisfying than the catastrophe of Anagni, in 1303, when Nogaret and Sciarra Colonna laid hands on the vicegerent of God, and Boniface passionately replied to Nogaret's reproaches, "I can patiently endure to be condemned and deposed by a Patarin"—for Nogaret was born at St. Felix de Caraman, and his ancestors were said to have been burned as Cathari. If this be true he must have been more than human if he did not feel special gratification when, at command of his master, he appeared before Clement V. with a formal accusation of heresy against Boniface, and demanded that the dead pope's bones be dug up and burned. The citizens of Toulouse recognized him as an avenger of their wrongs when they placed his bust in the gallery of their illustrious men in the Hôtel-de-ville.*

It was to the royal power, thus rising to supremacy, that the people instinctively turned for relief from the inquisitorial tyranny which was becoming insupportable. The authority lodged in the hands of the inquisitor was so arbitrary and irresponsible that even with the purest intentions it could not but be unpopular, while to the unworthy it afforded unlimited opportunity for oppression and the gratification of the basest passions. Dangerous as was any manifestation of discontent, the people of Albi and Carcassonne, reduced to despair by the cruelty of the inquisitors, Jean Galande and Jean Vigoureux, mustered courage, and in 1280 presented their complaints to Philippe le Hardi. It was difficult to

* Raynald. ann. 1303, No. 41.—Vaissette, IV. Note xi.—Guill. Nangiac. Contin. ann. 1303, 1309, 1310.—Nich. Trivetti Chron. ann. 1306.—La Faille, Annales de Toulouse I. 284.

The irresistible encroachment of the royal jurisdiction, in spite of perpetual opposition, is most effectively illustrated in the series of royal letters recently printed by M. Ad. Baudouin (Lettres inédites de Philippe le Bel, Paris, 1886).

sustain their charges with specific proofs, and after a brief investigation their reiterated requests for relief were dismissed as frivolous. In the agitation against the Inquisition thus commenced, it must be borne in mind that heretics had little to do. By this time they were completely cowed and were quite satisfied if they could enjoy their faith in secret. The opposition arose from good Catholics, the magistrates of cities and substantial burghers, who saw the prosperity of the land withering under the deadly grasp of the Holy Office, and who felt that no man was safe whose wealth might arouse cupidity or whose independence might provoke revenge. The introduction of the use of torture impressed the popular imagination with special horror, and it was widely believed that confessions were habitually extorted by insufferable torment from rich men whose faith was unblemished. The cruel provisions which brought confiscation on the descendants of heretics, moreover, were peculiarly hard to endure, for ruin impended over every one against whom the inquisitor might see fit to produce from his records evidence of ancestral heresy. It was against these records that the next attempt was directed. Foiled in their appeal to the throne, the consuls of Carcassonne and some of its prominent ecclesiastics, in 1283 or 1284, formed a conspiracy to destroy the books of the Inquisition containing the confessions and depositions. How far this was organized it would be difficult now to say. The statements of the witnesses conflict so hopelessly on material points, even as to dates, that there is little dependence to be placed on them. They were evidently extracted under torture, and if they are credible the consuls of the city and the archdeacon, Sanche Morlana, the episcopal Ordinary, Guillem Brunet, other episcopal officials and many of the secular clergy were not only implicated in the plot, but were heretics in full affiliation with the Cathari. Whether true or false they show that there was the sharpest antagonism between the Inquisition and the local Church. The whole has an air of unreality which renders one doubtful about accepting any portion, but there must have been some foundation for the story. According to the evidence Bernard Garric, who had been a perfected heretic and a *filius major*, but had been converted and was now a familiar of the Inquisition, was selected as the instrument. He was approached, and after some bargaining he agreed to deliver the

books for two hundred livres Tournois, for the payment of which the consuls went security. How the attempt failed and how it was discovered does not appear, but probably Bernard at the first overtures confided the plot to his superiors and led on the conspirators to their ruin.*

The whole community was now at the mercy of the Inquisition, and it was not disposed to be lenient in its triumph. While the trials were yet going on, the citizens made a fresh appeal to Pierre Chalus, the royal chancellor, who was passing through Toulouse on a mission from the court of Paris to that of Aragon. This was easily disposed of, for on September 13, 1285, the inquisitors triumphantly brought before him Bernard Garric to repeat the confession made a week previous. He had thoroughly learned his lesson, and the only conclusion which the royal representative could reach was that Carcassonne was a hopeless nest of heretics, deserving the severest measures of repression. As a last resort recourse was had to Honorius IV., but the only result was a brief from him to the inquisitors expressing his grief that the people of Carcassonne should be impeding the Inquisition with all their strength, and ordering the punishment of the recalcitrants irrespective of their station, order, or condition, an expression which shows that the opposition had not arisen from heretics.†

In reply to these complaints the inquisitors could urge with some truth that heresy, though hidden, was still busy. Although heretic seigneurs and nobles had been by this time well-nigh destroyed and their lands had passed to others, there was still infection among the bourgeoisie of the cities and the peasantry. It is one of the noteworthy features of Catharism, moreover, that at

* Bern. Guidon. Gravam. (Doat, XXX. 93, 97).—Molinier op. cit. p. 35.—Doat, XXVI. 197, 245, 265, 266.—Lib. Sententt. Inq. Tolos. p. 282.

Sanche Morlana, the archdeacon of Carcassonne, who is represented as bearing a leading part in the conspiracy, belonged to one of the noblest families of the city. His brother Arnaud, who at one time was Seneschal of Foix, was likewise implicated, and died a few years later in the bosom of the Church. In 1328 Jean Duprat, then inquisitor, obtained evidence that Arnaud had been hereticated during a sickness, and again subsequently on his death-bed (Doat, XXVIII. 128). This would seem to lend color to the charge of heresy against the conspirators, but the evidence was considered too flimsy to warrant condemnation.

† Doat, XXVI. 254.— Bern. Guidon. Gravam. (Doat, XXX. 93).—Arch. de l'Inq. de Carc. (Doat, XXXII. 132).

no time during its existence were lacking earnest and devoted ministers, who took their lives in their hands and wandered around in secret among the faithful, administering spiritual comfort and instruction, making converts where they could, exhorting the young and hereticating the old. In toil and hardship and peril they pursued their work, gliding by night from one place of concealment to another, and their self-devotion was rivalled by that of their disciples. Few more touching narratives can be conceived than those which could be constructed from the artless confessions extorted from the peasant-folk who fell into the hands of the inquisitors — the humble alms which they gave, pieces of bread, fish, scraps of cloth, or small coins, the hiding-places which they constructed in their cabins, the guidance given by night through places of danger, and, more than all, the steadfast fidelity which refused to betray their pastors when the inquisitor suddenly appeared and offered the alternative of free pardon or the dungeon and confiscation. The self-devotion of the minister was well matched with the quiet heroism of the believer. To this fidelity and the complete network of secret organization which extended over the land may be attributed the marvellously long exemption which many of these ministers enjoyed in their proselyting missions. Two of the most prominent of them at this period, Raymond Delboc and Raymond Godayl, or Didier, had already, in 1276, been condemned by the Inquisition of Carcassonne as perfected heretics and fugitives, but they kept at their work until the explosion of 1300, incessantly active, with the inquisitors always in pursuit but unable to overtake them. Guillem Pagès is another whose name constantly recurs in the confessions of hereticatings during an almost equally long period. The inquisitors might well urge that their utmost efforts were needed, but their methods were such that even the best intentions would not have saved the innocent from suffering with the guilty.*

The secretly guilty were quite sufficiently influential, and the innocent sufficiently apprehensive, to keep up the agitation which had been commenced, and at last it began to bear fruit. A new inquisitor of Carcassonne, Nicholas d'Abbeville, was quite as cruel

* MSS. Bib. Nat., fonds latin, No. 11847.—Doat, XXVI. 197.—Lib. Sententt. Inq. Tolos. pp. 54, 109, 111, 130, 137, 138, 139, 143, 144, 146, 147.

and arbitrary as his predecessors, and when the people prepared an appeal to the king he promptly threw into jail the notary who drew up the paper. In their desperation they disregarded this warning; a deputation was sent to the court, and this time they were listened to. May 13, 1291, Philippe addressed a letter to his Seneschal of Carcassonne reciting the injuries inflicted by the Inquisition on the innocent through the newly-invented system of torture, by means of which the living and the dead were fraudulently convicted and the whole land scandalized and rendered desolate. The royal officials were therefore ordered no longer to obey the commands of the inquisitors in making arrests, unless the accused be a confessed heretic or persons worthy of faith vouch for his being publicly defamed for heresy. A month later he reiterated these orders even more precisely, and announced his intention of sending deputies to Languedoc armed with full authority to make permanent provision in the matter. It is impossible to exaggerate the importance of these manifestoes as marking a new era in the relations between the temporal and spiritual authorities. For far less than this all the chivalry and scum of Europe had been promised salvation if they would drive Raymond of Toulouse from his inheritance.*

It was probably to break in some degree the force of this unheard-of interference with inquisitorial supremacy that in September, 1292, Guillem de Saint-Seine, Inquisitor of Carcassonne, ordered all the parish priests in his district for three weeks on

* There has been great confusion as to the date of Philippe's action. The Ordonnance as printed by Laurière and Isambert is of 1287. As given by Vaissette (IV. Pr. 97–8) it is of 1291. A copy in Doat, XXXI. 266 (from the Regist. Curiæ Franciæ de Carcass.), is dated 1297. Schmidt (Cathares I. 342) accepts 1287; A. Molinier (Vaissette, Éd. Privat, IX. 157) confirms the date of 1291. The latter accords best with the series of events. 1287 would seem manifestly impossible, as Philippe was crowned January 6, 1286, at the age of seventeen, and would scarcely, in fifteen months, venture on such a step so defiant of all that was held sacred; nor would Nicholas IV. in 1290 have praised his zeal in furthering the Inquisition (Ripoll II. 29), while 1297 seems incompatible with his subsequent action on the subject.

In 1292 Philippe prohibited the capitouls of Toulouse from employing torture on clerks subject to the jurisdiction of the bishop, a prohibition which had to be repeated in 1307. — Baudouin, Lettres inédites de Philippe le Bel, pp. 16, 73.

Sundays and feast-days to denounce as excommunicate all who should impede the business of the Inquisition and all notaries who should wickedly draw up revocations of confessions for heretics. This could not effect much, nor was anything accomplished by a Parlement held April 14, 1293, at Montpellier, by the royal chamberlain, Alphonse de Ronceyrac, of all the royal officials and inquisitors of Toulouse and Carcassonne to reform the abuses of all jurisdictions.*

Shortly after this, in September, 1293, Philippe went a step further and threw his ægis over the unfortunate Jew. Although Jews as a class were not liable to persecution by the Inquisition, still, if after being once converted they reverted to Judaism, or if they proselyted among Christians to obtain converts, or if they were themselves converts from Christianity, they were heretics in the eyes of the Church, they fell under inquisitorial jurisdiction, and were liable to be abandoned to the secular arm. All these classes were a source of endless trouble to the Church, especially the "neophytes" or converted Jews, for feigned conversions were frequent, either for worldly advantage or to escape the incessant persecution visited upon the unlucky children of Israel.† The bull *Turbato corde*, ordering the inquisitors to be active and vigilant in prosecuting all who were guilty of these offences, issued in 1268 by Clement IV., was reissued by successive popes with a pertinacity showing the importance attached to it, and when we see Frère Bertrand de la Roche, in 1274, officially described as inquisitor in Provence against heretics and wicked Christians who

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* Arch. de l'Inq. de Carc. (Doat, XXXII. 251). — Chron. Bardin ann. 1293 (Vaissette IV. Pr. 9).

† In 1278 the inquisitors of France applied to Nicholas III. for instructions, stating that some time previous, during a popular persecution of the Jews, many of them through fear, though not absolutely coerced, had received baptism and allowed their children to be baptized. With the passing of the storm they had returned to their Jewish blindness, whereupon the inquisitors had cast them in prison. They were duly excommunicated, but neither this nor the "*squalor carceris*" had been of avail, and they had thus remained for more than a year. The nonplussed inquisitors thereupon submitted to the Holy See the question as to further proceedings, and Nicholas ordered them to treat such Jews as heretics—that is to say, to burn them for continued obstinacy.—Archives de l'Inq. de Carcassonne (Doat, XXXVII. 191).

embrace Judaism, and Frère Guillaume d'Auxerre, in 1285, qualified as "Inquisitor of Heretics and Apostate Jews in France," it is evident that these cases formed a large portion of inquisitorial business. As the Jews were peculiarly defenceless, this jurisdiction gave wide opportunity for abuse and extortion which was doubtless turned fully to account. Philippe owed them protection, for in 1291 he had deprived them of their own judges and ordered them to plead in the royal courts, and now he proceeded to protect them in the most emphatic manner. To Simon Brisetête, Seneschal of Carcassonne, he sent a copy of the bull *Turbato corde*, with instructions that while this was to be implicitly obeyed, no Jew was to be arrested for any cause not specified therein, and, if there was any doubt, the matter was to be referred to the royal council. He further enclosed an Ordonnance directing that no Jew in France was to be arrested on the requisition of any person or friar of any Order, no matter what his office might be, without notifying the seneschal or bailli, who was to decide whether the case was sufficiently clear to be acted upon without reference to the royal council. Simon Brisetête thereupon ordered all officials to defend the Jews, not to allow any exactions to be imposed on them whereby their ability to pay their taxes might be impaired, and not to arrest them at the mandate of any one without informing him of the cause. It would not have been easy to limit more skilfully the inquisitorial power to oppress a despised class.*

Philippe had thus intervened in the most decided manner, and the oppressed populations of Languedoc might reasonably hope for permanent relief, but his subsequent policy belied their hopes. It vacillated in a manner which is only partially explicable by the

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* Mag. Bull. Roman. I. 151, 155, 159.—Archivio di Napoli, Registro 20, Lett. B, fol. 91.—MSS. Bib. Nat., fonds latin, No. 14930, fol. 227-8.—Wadding. ann. 1290, No. 5, 6.—C. 13, Sexto v. 2.—Coll. Doat, XXXII. 127; XXXVII. 193, 206, 209, 242, 255, 258.—Wadding. ann. 1359, No. 1-3.—Lib. Sententt. Inq. Tolos. p. 230.

In 1288 Philippe had already ordered the Seneschal of Carcassonne to protect the Jews from the citations and other vexations inflicted on them by the ecclesiastical courts (Vaissette, Éd. Privat, IX. Pr. 232). Yet in 1306 he had all the Jews of the kingdom seized and exiled, and forbidden to return under pain of death (Guill. Nangiac. Contin. ann. 1306).

shifting political exigencies of the times so far as we can penetrate them. In this same year, 1293, the Seneschal of Carcassonne is found instructing Aimeric, the Viscount of Narbonne, to execute royal letters ordering aid to be rendered to the inquisitors there. This may have been a mere local matter, and Philippe, for a while at least, adhered to his position. Towards the end of 1295 there was issued an Ordonnance of the royal court, applicable to the whole kingdom, forbidding the arrest of any one on the demand of a friar of any Order, no matter what his position might be, unless the seneschal or bailli of the jurisdiction was satisfied that the arrest should be made, and the person asking it showed a commission from the pope. This was sent to all the royal officials with strict injunctions to obey it, although, if the accused were likely to fly, he might be detained, but not surrendered until the decision of the court could be had. Moreover, if any persons were then in durance contrary to the provisions of the Ordonnance, they were to be set at liberty. Even this did not effect its object sufficiently, and a few months later, in 1296, Philippe complained to his Seneschal of Carcassonne of the numbers who were arrested by the royal officers, and confined in the royal prisons on insufficient grounds, causing scandal and the heavy infliction of infamy on the innocent. To prevent this arrests were forbidden except in cases of such violent presumption of heresy that they could not be postponed, and the officials were instructed, when called upon by the inquisitors, to make such excuses as they could. These orders were obeyed, for when, about this time, Foulques de Saint-Georges, Vice-inquisitor of Carcassonne, ordered the arrest of sundry suspects by Adam de Marolles, the deputy seneschal, the latter referred the matter to his principal, Henri de Elisia, who, after consultation with Robert d'Artois, lieutenant of the king in Languedoc and Gascony, refused the demand.*

No previous sovereign had ventured thus to trammel the Inquisition. These regulations, in fact, rendered it virtually powerless, for it had no organization of its own; even its prisons were the king's and might be withdrawn at any time, and it depended

* Regist. Curiæ Franciæ de Carc. (Doat, XXXII. 254, 267, 268, 269).—Vaissette, IV. Pr. 99.

wholly upon the secular arm for physical force. In some places, as at Albi, it might rely upon episcopal assistance, but elsewhere it could do nothing of itself. Philippe had, moreover, been careful not to excite the ill-will of his bishops, for his Ordonnances and instructions alluded simply to the friars, thus excluding the Inquisition from royal aid without specifically naming it. His quarrel with Boniface VIII. was now beginning. Between January, 1296, and February, 1297, appeared the celebrated bulls *Clericis laicos*, *Ineffabilis amoris*, *Excitat nos*, and *Exiit a te*, whose arrogant encroachments on the secular power aroused him to resistance, and this doubtless gave a sharper zest to his desire to diminish in his dominions the authority of so purely papal an institution as the Inquisition. So shrewd a prince could readily see its effectiveness as an instrument of papal aggression, for the Church could make what definition it pleased of heresy; and Boniface did not hesitate to give him fair warning, when, in October, 1297, he ordered the Inquisitor of Carcassonne to proceed against certain officials of Béziers who had rendered themselves in the papal eyes suspect of heresy because they remained under excommunication, incurred for imposing taxes on the clergy, boasting that food had not lost its savor to them nor sleep its sweetness, and who, moreover, dared with polluted lips to revile the Holy See itself. Under such an extension of jurisdiction Philippe himself might not be safe, and it is no wonder that tentative efforts made in 1296 and 1297 to find some method of reconciling the recent royal Ordonnances with the time-honored absolutism of the Inquisition proved failures.*

Meanwhile, the exigencies of Italian politics caused Boniface suddenly to retrace his steps. His quarrel with the Cardinals Giacomo and Pietro Colonna rendered it advisable to propitiate Philippe. In May, 1297, he assented to a tithe conceded to the king by his bishops, and in the bull *Noveritis* (July, 1297) he exempted France from the operation of the *Clericis laicos*, while in *Licet per speciales* (July, 1298) he withdrew his arrogant pretension imperatively to prolong the armistice between France and

* Du Puy, Histoire du Differend, etc. Pr. 14, 15, 23, 24.—D'Argentré, Collect. Judic. de novis Error. I. 1. 125.—Vaissette, IV. Pr. 99.—Arch. de l'Inq. de Carc. (Doat, XXXII. 264).—Faucon, Registres de Boniface VIII. No. 2140.

England. A truce was thus patched up with Philippe, who hastened to manifest his good-will to the Holy See by abandoning his subjects again to the inquisitors. In the Liber Sextus of the Decretals, published by Boniface March 3, 1298, the pope included, with customary imperiousness, a canon commanding the absolute obedience of all secular officials to the orders of inquisitors under penalty of excommunication, which if endured for a year carried with it condemnation for heresy. This was his answer to the French monarch's insubordinate legislation, and Philippe at the moment was not inclined to contest the matter. In September he meekly enclosed the canon to his officials with instructions to obey it in every point, arresting and imprisoning all whom inquisitors or bishops might designate, and punishing all whom they might condemn. A letter of Frère Arnaud Jean, Inquisitor of Pamiers, dated March 2, of the same year, assuring the Jews that they need dread no novel measures of severity, would seem to indicate that the royal protection had been previously withdrawn from them. The good understanding between king and pope lasted until 1300, when the quarrel broke out afresh with greater acrimony than ever. In December of that year the provisions of *Clericis laicos* were renewed by the bull *Nuper ex rationabilibus*, followed by the short one, of which the authenticity is disputed, *Scire te volumus*, asserting Philippe's subjection in temporal affairs and calling forth his celebrated rejoinder, *Sciat tua maxima fatuitas*. The strife continued with increasing violence till the seizure of Boniface at Anagni, September 8, 1303, and his death in the following month.*

Under this varying policy the fate of the people of Languedoc was hard. Nicholas d'Abbeville, the Inquisitor of Carcassonne, was a man of inflexible severity, arrogantly bent on pushing his prerogatives to the utmost. He had an assistant worthy of him in Foulques de Saint-Georges, the Prior of the Convent of Albi, which was under his jurisdiction. He had virtually another assistant in the bishop, Bernard de Castanet, who delighted to act as inquisitor, impelled alike by fanaticism and by greed, for, as we have

* Du Puy, op. cit. Pr. 39, 41, 42, 44. — Faucon, Registres de Boniface VIII. No. 1822–3, No. 1829, No. 1830–1, No. 1930.—C. 18 Sexto v. 2.—Isambert. Anc. Loix Franç. II. 718.—Vaissette, Éd. Privat, X. Pr. 347.—Archives de l'Évêché d'Albi (Doat, XXXII. 275).

seen, the bishops of Albi, by a special transaction with St. Louis, enjoyed a half of the confiscations. Prior to his elevation in 1276 Bernard had been auditor of the papal camera, which shows him to have been an accomplished legist, and he was also a patron of art and literature, but he was ever in trouble with his people. Already, in 1277, he had succeeded in so exasperating them that his palace was swept by a howling mob, and he barely escaped with his life. In 1282 he commenced the erection of the cathedral of St. Cecilia, a gigantic building, half church, half fortress, which swallowed enormous sums, and stimulated his hatred of heresy by supplying a pious use for the estates of heretics.*

To such men the protection granted to his subjects by Philippe was most distasteful, and not without reason. Heretics naturally took advantage of the restrictions imposed on the Inquisition and redoubled their activity. It might seem, indeed, to them that the day of supremacy of the Church was past, and that the rising independence of the secular power might usher in an era of comparative toleration, in which their persecuted religion would at length find its oft-deferred opportunity of converting mankind—a dream in which they indulged to the last. More demonstrative, if not more earnest, was the feeling which the royal policy aroused in Carcassonne. The Ordonnances had not only crippled the Inquisition, but had shown the disfavor with which it was regarded by the king, and in 1295 some of the leading citizens, who had been compromised in the trials of 1285, found no difficulty in arousing the people to open resistance. For a while they controlled the city, and inflicted no little injury on the Dominicans, and on all who ventured to support them. Nicholas d'Abbeville was driven from the pulpit when preaching, pelted with stones and pursued with drawn swords, and the judges of the royal court on one occasion were glad to escape with their lives, while the friars were beaten and insulted when they appeared in public and were practically segregated as excommunicates. Bernard Gui, an

* C. Molinier, L'Inq. dans le midi de la France, p. 92.—A. Molinier (Vaissette, Ed. Privat, IX. 307). The character and power of the bishops of Albi are illustrated in a successor of Bernard de Castanet, Bishop Géraud, who in 1312, to settle a quarrel with the Seigneur de Puygozon, raised an army of five thousand men with which he attacked the royal Château Vieux d'Albi, and committed much devastation.—Vaissette, IV. 160.

eye-witness, naturally attributes this to the influence of heresy, but it is impossible for us now to conjecture how much may have been due to religious antagonism, and how much to the natural reaction among the orthodox against the intolerable oppression of the inquisitorial methods.*

For some years the Inquisition of Carcassonne was suspended. As soon as secular support was withdrawn public opinion was too strong, and it succumbed. This lasted until the truce between king and pope again placed the royal power at the disposal of the inquisitors. In their despair the citizens then sent envoys to Boniface VIII., with Aimeric Castel at their head, supported by a number of Franciscans. Boniface listened to their complaints and proposed to depute the Bishop of Vicenza as commissioner to examine and report, but the papal referendary, afterwards Cardinal of S. Sabina, required a bribe of ten thousand florins as a preliminary. It was promised him, but Aimeric, having secured the good offices of Pierre Flotte and the Duke of Burgundy, thought he could obtain his purpose for less, and refused to pay it. When Boniface heard of the refusal he angrily exclaimed, "We know in whom they trust, but by God all the kings in Christendom shall not save the people of Carcassonne from being burned, and specially the father of that Aimeric Castel!" The negotiation fell through, and Nicholas d'Abbeville had his triumph. A large portion of the citizens were wearied with the disturbances, and were impatient under the excommunication which rested on the community. The prosperity of the town was declining, and there were not wanting those who predicted its ruin. The hopelessness of further resistance was apparent, and matters being thus ripe for a settlement, a solemn assembly was held, April 27, 1299, when the civic magistrates met the inquisitor in the presence of the Bishops of Albi and Béziers, Bertrand de Clermont, Inquisitor of Toulouse, the royal officials, sundry abbots and other notables. Nicholas dictated his own terms for the absolution asked at his hands, nor were they seemingly harsh. Those who were manifest heretics, or specially defamed, or convicted by legal proof must take their chance. The rest were to be penanced as the bishops and the Ab-

* Bern. Guidon. Hist. Conv. Prædic. (Martene Coll. Ampl. VI. 477-8).—Ejusd. Gravam. (Doat, XXX. 94).

bot of Fontfroide might advise, excluding confiscation and personal or humiliating penalties. All this was reasonable enough from an ecclesiastical point of view, but so deep-seated was the distrust, or so strong the heretical influence, that the people asked twenty-four hours for consideration, and on reassembling the next day refused the terms. Six months passed, their helplessness and isolation each day becoming more apparent, until, October 8, they reassembled, and the consuls asked for absolution in the name of the community. Nicholas was not severe. The penance imposed on the town was the building of a chapel in honor of St. Louis, which was accomplished in the year 1300 at the cost of ninety livres Tournois. The consuls, in the name of the community, secretly abjured heresy. Twelve of the most guilty citizens were reserved for special penances, viz., four of the old consuls, four councillors, two advocates, and two notaries. Of these the fate was doubtless deplorable. Chance has preserved to us the sentence passed on one of the authors of the troubles, Guillem Garric, by which we find that he rotted in the horrible dungeon of Carcassonne for twenty-two years before he was brought forward for judgment in 1321, when in consideration of his long confinement he was given the choice between the crusade and exile, and the crushed old man fell on his knees and gave thanks to Jesus Christ and to the inquisitors for the mercy vouchsafed him. Some years later intense excitement was created when Frère Bernard Délicieux obtained sight of the agreement, and discovered that the consuls had been represented in it as confessing that the whole community had given aid to manifest heretics, that they had abjured in the name of all, and thus that all citizens were incapacitated for office and were exposed to the penalties of relapse in case of further trouble. This excited the people to such a point that the inquisitor, Geoffroi d'Ablis, was obliged to issue a solemn declaration, August 10, 1303, disclaiming any intention of thus taking advantage of the settlement; and notwithstanding this, when King Philippe came to Carcassonne in 1305 the agreement was pronounced fraudulent, the seneschal Gui Caprier was dismissed for having affixed his seal to it, and confessed that he had been bribed to do so by Nicholas d'Abbeville with a thousand livres Tournois.*

* MSS. Bib. Nat., fonds latin, No. 4270, fol. 18, 119–23, 129, 135–6, 292.—Arch.

Encouraged by the crippling and suspension of the Inquisition, the Catharan propaganda had been at work with renewed vigor. In 1299 the Council of Béziers sounded the alarm by announcing that perfected heretics had made their appearance in the land, and ordering close search made after them. At Albi, Bishop Bernard was, as usual, at variance with his flock, who were pleading against him in the royal court to preserve their jurisdiction. The occasion was opportune. He called to his assistance the inquisitors Nicholas d'Abbeville and Bertrand de Clermont, and towards the close of the year 1299 the town was startled by the arrest of twenty-five of the wealthiest and most respected citizens, whose regular attendance at mass and observance of all religious duties had rendered them above suspicion. The trials were pushed with unusual celerity, and, from the manner in which those who at first denied were speedily brought to confession and to revealing the names of their associates, there was doubtless good ground for the popular belief that torture was ruthlessly and unsparingly used; in fact, allusions to it in the final sentence of Guillem Calverie, one of the victims, leave no doubt on the subject. Abjuration saved them from the stake, but the sentence of perpetual imprisonment in chains was a doubtful mercy for those who were sentenced, while a number were kept interminably in jail awaiting judgment.*

The whole country was ripe for revolt. The revival of Philippe's quarrel with Boniface soon gave assurance that help might be expected from the throne; but if this should fail there would be scant hesitation on the part of desperate men in looking for some other sovereign who would lend an ear to their complaints. The arrest and trial for treason of the Bishop of Pamiers, in 1301, shows us what was then the undercurrent of popular feeling in Languedoc, where the Frenchman was still a hated stranger, the king a foreign despot, and the people discontented and ready to shift their allegiance to either England or Aragon whenever they could see their advantage in it. The fragile tenure with which

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de l'Inq. de Carc. (Doat, XXXII. 283).—Vaissette, IV. 91; Pr. 100–2.—Lib. Sententt. Inq. Tolos. pp. 282–5.—Coll. Doat, XXXIV. 21.

* Concil. Biterrens. ann. 1299, c. 3 (Vaissette, IV. 96).—MSS. Bib. Nat., fonds latin, No. 4270, fol. 264, 270.—Archives de l'Evêché d'Albi (Doat, XXXV. 69).—MSS. Bib. Nat., fonds latin, No. 11847.—Lib. Sententt. Inquis. Tolos. p. 266.

the land was still held by the Kings of Paris must be kept in view if we would understand Philippe's shifting policy.*

The prosecutions of Albi caused general terror, for the victims were universally thought to be good Catholics, selected for spoliation on account of their wealth. The conviction was widespread that such inquisitors as Jean de Faugoux, Guillem de Mulceone, Jean de Saint-Seine, Jean Galande, Nicholas d'Abbeville, and Foulques de Saint-Georges had long had no scruple in obtaining, by threats and torture, such testimony as they might desire against any one whom they might wish to ruin, and that their records were falsified, and filled with fictitious entries for that purpose. Some years before, Frère Jean Martin, a Dominican, had invoked the interposition of Pierre de Montbrun, Archbishop of Narbonne (died 1286), to put a stop to this iniquity. Some investigation was made, and the truth of the charges was established. The dead were found to be the special prey of these vultures, who had prepared their frauds in advance. Even the fierce orthodoxy of the Maréchaux de la Foi could not save Gui de Levis of Mirepoix from this posthumous attack; and, when Gautier de Montbrun, Bishop of Carcassonne, died, they produced from their records proof that he had adored heretics and had been hereticated on his death-bed. In this latter case, fortunately, the archbishop happened to know that one of the witnesses, Jourdain Ferrolh, had been absent at the time when, by his alleged testimony, he had seen the act of adoration. Frère Jean Martin urged the archbishop to destroy all the records and cause the Dominicans to be deprived of their functions, and the prelate made some attempt at Rome to effect this, contenting himself meanwhile with issuing some regulations and sequestrating some of the books. It was probably during this flurry that the Inquisitors of Carcassonne and Toulouse, Nicholas d'Abbeville and Pierre de Mulceone, hearing that they were likely to be convicted of fraud, retired with their records to the safe retreat of Prouille and busied themselves in making a transcript, with the compromising entries omitted, which they ingeniously bound in the covers stripped from the old volumes.†

* Du Puy, Hist. du Differend, Pr. 633 sqq. 653–4.—Martene Thesaur. I 1320–36.

† MSS. Bib. Nat., fonds latin, No. 4270, fol. 125–8, 139.

About this time occurred a case which confirms the popular belief in inquisitorial iniquity, and which had results of vastly greater importance than its promoters anticipated. When the disappointed Boniface VIII. swore that he would cause the burning of Aimeric Castel's father, he uttered no idle threat. Nicholas d'Abbeville, a fitting instrument, was at hand, and to him he privately gave the necessary verbal instructions. Castel Fabri, the father, had been a citizen of Carcassonne distinguished for piety and benevolence no less than for wealth. A friend of the Franciscan Order, after duly receiving the sacraments, he had died, in 1278, in the hands of its friars, six of whom kept watch in the sick-room until his death, and he had been buried in the Franciscan cemetery. We have seen in the case of the Count of Foix how easily all these precautions could be brushed aside, and Nicholas found no difficulty in discovering or making the evidence he required.* Suddenly, in 1300, the people of Carcassonne were startled by a notice, read in all the parish churches, summoning those wishing to defend the memory of Castel Fabri to appear before the Inquisition on a day named, as the deceased was proved to have been hereticated on his death-bed. The moment was well chosen, as Aimeric Castel, the son, was absent. The Franciscans, for whom the accused had doubtless provided liberally in his will, felt themselves called upon to assume his defence. Hastily consulting, they determined to send their lector, Bernard de Licgossi, or Délicieux, to the General Chapter then assembling at Marseilles, for instructions, as, in the chronic antagonism between the Mendicants, the matter seemed to be regarded as an assault on the Order. The wife of Aimeric Castel provided for the expenses of the journey, and Bernard returned with instructions from the provincial to defend the memory of the deceased, while Eléazar de

* In a series of confessions extracted from Master Arnaud Matha, a clerk of Carcassonne, in 1285, there are two, of October 4 and 10, in which he describes all the details of the heretication of Castel Fabri on his death-bed, in 1278 (Doat, XXVI. 258-60). While these cannot be positively said to be interpolations, they have the appearance of being so, and it may safely be assumed as impossible that such a matter would have been allowed to lie dormant for fifteen years with so rich a prize within reach. The case is doubtless one of the forged records which, as we have seen, were popularly believed to be customary in the Inquisition.

Clermont, the syndic of the convent, was deputed by the Guardian of Narbonne to co-operate with him. Meanwhile Nicholas had proceeded to condemnation, and when, July 4, 1300, Bernard and Eléazar presented themselves to offer the testimony of the friars who had watched the dying man, Nicholas received them standing, refused to listen to them, and on their urging their evidence left the room in the most contemptuous manner. In the afternoon they returned to ask for a certificate of their offer and its refusal, but found the door of the Inquisition closed, and could not effect an entrance.

The next step was to take an appeal to the Holy See and ask for "Apostoli," but this was no easy matter. So general was the terror inspired by Nicholas that the doctor of decretals, Jean de Penne, to whom they applied to draw the paper, refused unless his name should be kept inviolably secret, and nineteen years afterwards Bernard when on trial refused to reveal it until compelled to do so. To obtain a notary to authenticate the appeal was still harder. All those in Carcassonne absolutely refused, and it was found necessary to bring one from a distance, so that it was not until July 16 that the document was ready for service. How seriously, indeed, all parties regarded what should have been a very simple business is shown by the winding-up of the appeal, which places, until the case is decided, not only the body of Castel Fabri, but the appellants and the whole Franciscan convent, under the protection of the Holy See. When they went to serve the instrument on Nicholas the doors, as before, were found closed and entrance could not be effected. It was therefore read in the street and left tacked on the door, to be taken down and treasured and brought forward in evidence against Bernard in 1319. We have no further records of the case, but that the appeal was ineffectual is visible in the fact that in 1322–3 the accounts of Arnaud Assalit show that the royal treasury was still receiving an income from the confiscated estates of Castel Fabri; while in 1329 the still unsatisfied vengeance of the Inquisition ordered the bones of his wife Rixende to be exhumed.*

* MSS. Bib. Nat., fonds latin, No. 4270, fol. 14–16, 29–30, 35, 120, 148.—Coll. Doat, XXVII. 178; XXXIV. 123, 189.

As late as 1338 the confiscated house of Castel Fabri at Carcassonne was the subject of a reclamation by Pierre de Manse who claimed that Philippe le Bel

The case of Castel Fabri might have passed unnoticed, like thousands of others, had it not chanced to bring into collision with the Inquisition the lector of the convent of Carcassonne. Bernard Délicieux was no ordinary man, in fact a contemporary assures us that in the whole Franciscan Order there were few who were his equals. Entering the Order about 1284, his position of lector or teacher shows the esteem felt for his learning, for the Mendicants were ever careful in selecting those to whom they confided such functions; and, moreover, we find him in relations with the leading minds of the age, such as Raymond Lully and Arnaldo de Vilanova. His eloquence made him much in request as preacher; his persuasiveness enabled him to control those with whom he came in contact, while his enthusiastic ardor prompted him to make any sacrifices necessary to a cause which had once enlisted his sympathies. He was no latitudinarian or time-server, for when the split came in his own Order he embraced, to his ruin, the side of the Spiritual Franciscans, with the same disregard of self as he had manifested in his dealings with the Inquisition. He was no admirer of toleration, for he devoutly wished the extermination of heresy, but experience and observation had convinced him that in Dominican hands the Inquisition was merely an instrument of oppression and extortion, and he imagined that by transferring it to the Franciscans its usefulness would be preserved while its evils would be removed. Boniface VIII., as we have seen, about this time replaced the Franciscan inquisitors of Padua and Vicenza with Dominicans for the purpose of repressing similar evils, and in the jealousy and antagonism between the two orders the converse operation might seem worth attempting in Languedoc. In the hope of alleviating the sufferings of the people, Bernard devoted himself to the cause for years, incurring obloquy, persecution, and ingratitude. Those whom he sought to serve allowed him to sell his books in their service, and to cripple himself with debt, while the enmities which he excited hounded him relentlessly to the death. Yet in the struggle he had the sympathies of his own Order which everywhere throughout Languedoc manifested itself

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had given it to his queen, through whom it had come to him. The royal officials asserted that the gift had only been for life, and had seized it again, but Philippe de Valois abandoned it to the claimant.—Vaissette, Éd. Privat, X. Pr. 831–3.

the enemy of the Dominican Inquisition. Already, in 1291, Franciscans in Carcassonne had endeavored to intervene in cases of heresy, and had been sharply reproved by Philippe le Bel at the instance of the Inquisitor Guillaume de Saint-Seine. In 1298 they had supported the appeal of the men of Carcassonne to Boniface VIII., and throughout the whole of Bernard's agitation the Franciscan convents are seen to be rallying-points of the opposition. It is there that Bernard preaches his fiery sermons; it is there that meetings are held to plan resistance. During the troubles in Carcassonne Foulques de Saint-Georges went with twenty-five men to the Franciscan convent to cite the opponents of the Inquisition. The friars would not admit them, but tolled the bell and an angry crowd assembled, while those inside the convent assailed them with stones and quarrels, and they were glad to escape with their lives.*

Vainly the inquisitors complained to the Franciscan prelates of Bernard as an impeder of the Holy Office. The form of a trial would be gone through, and the offender would be furnished with letters attesting his innocence. The Dominicans asserted that Franciscan zeal was solely caused by jealousy; the Franciscans retorted that their friends were the special objects of inquisitorial persecution. King Philippe's confessor was a Dominican, Queen Joanna's a Franciscan, and the two courtly friars took part, for and against the Inquisition, with a zeal which rendered them important factors in the struggle. The undying hostility between the two Orders always led them to opposite sides in every question of dogma or practice, and this was one which afforded the amplest scope to bitterness.†

The *coup-de-main* executed on the so-called heretics of Albi, in December, 1299, and the early months of 1300, had excited consternation too general for the matter to be passed over. King Philippe's quarrel with Boniface was breaking out afresh, and he might not be averse to making his subjects feel that they had a

* Historia Tribulationum (Archiv für Litteratur- u. Kirchengeschichte, 1886, p. 148.—MSS. Bib. Nat., fonds latin, No. 4270, fol. 231.—Vaissette, Éd. Privat, X. 268.

† MSS. Bib. Nat., fonds latin, No. 4270, fol. 9, 19, 22, 24, 26, 32, 40, 63, 70, 73, 81, 82, 84, 119, 128, 149, 155, 163. — Bern. Guidon. Hist. Conv. Albiens. (D. Bouquet, XXI. 748).—Coll. Doat, XXXIV. 26.

protector in the throne. With the advice of his council an investigation was ordered, and confided to the Bishops of Béziers and Maguelonne, but the inquisitors arrogantly and persistently refused to allow the secrets of their office to be invaded. This was not calculated to remove popular disquiet, and in 1301 Philippe sent to Languedoc two officials armed with supreme powers, under the name of Reformers. As the royal authority extended and established itself, special deputies for the investigation and correction of abuses were frequently despatched to the provinces. In the present case those who came to Languedoc perhaps had for their chief business the arrest of the Bishop of Pamiers, accused of treasonable practices, but the colorable pretext for their mission was the correction of inquisitorial abuses. One of them, Jean de Pequigny, Vidame of Amiens, was a man of high character for probity and sagacity; the other was Richard Nepveu, Archdeacon of Lisieux, of whom we hear little in the following years, except that he quietly slipped into the vacant episcopate of Béziers. He must have done his duty to some extent, however, for Bernard Gui tells us that he died in 1309 of leprosy, as a judgment of God for his hostility to the Inquisition.*

The Reformers established themselves at Toulouse, where Foulques de Saint-Georges had been inquisitor since Michaelmas, 1300, and speedily gathered much damaging testimony against him, for he was accused not only of unduly torturing persons for purposes of extortion, but of gratifying his lusts by arresting women whose virtue he failed otherwise to overcome. Thither flocked representatives of Albi, with the wives and children of the prisoners, beseeching and imploring the representatives of the

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* MSS. Bib. Nat., fonds latin, No. 4270, fol. 163. — Guillel. Nangiac. Contin. ann. 1303. — Grandes Chroniques, T. V. pp. 156–7. — Girard de Fracheto Chron. contin. ann. 1203 (D. Bouq. XXI. 23).—Vaissette, IV. 112.—Bern. Guidon. Hist. Fund. Conv. (Martene Ampl. Coll. V. 514).

When, long years afterwards, in 1319, Bernard Délicieux was carried from Avignon to Toulouse for the trial which led to his death, one of the convoy, a notary named Arnaud de Nogaret, chanced to allude to a report that Pequigny had been bribed with one thousand livres to oppose the Inquisition. Then the old man's temper flashed forth in defence of his departed friend—"Thou liest in the throat: the Vidame was an honest man!"—MSS. Bib. Nat., fonds latin, No. 4270, fol. 263.

king for justice, and promising revelations if they would issue letters of safety to those who would give information — for the terror inspired by the Inquisition was such that no one dared to testify concerning it unless he was assured of protection against its vengeance. The Bishop of Albi came also to justify himself, and on his return to his episcopal seat he was welcomed with a manifestation of the feeling entertained for him by his flock, whom the coming of the Reformers encouraged in the expression of their sentiments. When his approach was announced a crowd of men and women rushed forth from the gates to meet him with shouts of "Death, death, death to the traitor!" It may perhaps be doubted whether, as reported, he bore the threats and insults with patience akin to that of Christ, ordering his followers to keep their weapons down; certain it is that he was roughly handled, and had difficulty in safely reaching his palace. A conspiracy was formed to burn the palace, in order, during the confusion, to liberate the prisoners, but the hearts of the conspirators failed them and the project was abandoned. Even more menacing was the action of a number of the chief citizens, who bound themselves by a notarial instrument to prosecute him and Nicholas d'Abbeville in the king's court. As a consequence, the bishop's temporalities were sequestrated, and eventually the enormous fine of twenty thousand livres stripped him of a portion of his ill-gotten gains for the benefit of the king, who was bitterly reproached by Bernard Délicieux for thus preferring money to justice. Bernard de Castanet retained his uneasy seat until 1308, when, seeing under Clement V. no prospect of better times, he procured a transfer to the quieter see of Puy. One of the earliest signs of the revulsion under John XXII. was his advancement, in December, 1316, to the Cardinalate of Porto, which he held for only eight months, his death occurring in August, 1317.*

The Reformers, meanwhile, had sent for Bernard Délicieux, who was then quietly performing his duties as lector in the convent of Narbonne. He must already have made himself conspic-

* Bern. Guidon. Hist. Fund. Conv. (Martene Ampl. Coll. VI. 510–11).—Arch. de l'Inq. de Carc. (Doat, XXVII. 7).—MSS. Bib. Nat., fonds latin, No. 4270, fol. 6, 7, 11, 42, 45, 48, 71, 161, 270.—Arch. de l'hôtel-de-ville d'Albi (Doat, XXXIV. 169).—Vaissette, IV. 143.

uous in the affair of Castel Fabri, and was evidently regarded as a desirable ally in the impending struggle. According to his own story he advised Pequigny to let the Inquisition alone, as experience had shown that effort was useless; but on being called again to Toulouse on some business connected with the Priory of la Daurade, and having to visit Paris in connection with the will of Louis, Bishop of Toulouse, it was arranged, at Pequigny's suggestion, that he should accompany a deputation which the citizens of Albi were sending to the king to invoke his active intervention. The court was at Senlis, whither they repaired, and there came also Pequigny to justify himself, and Frère Foulques with several Dominicans, eager to establish the innocence of the Inquisition.*

The battle was fought out before the king. Bernard urged the suspension of the inquisitors during an investigation, or that the Dominicans should be permanently declared ineligible while awaiting final action by the Holy See. Supported by Frère Guillaume, the king's Dominican confessor, Foulques preferred charges against Pequigny, but could furnish no proofs. Pequigny retorted with accusations against Foulques, and a commission, consisting of the Archbishop of Narbonne and the Constable of France, was appointed to hear both sides. After due deliberation, it reported in favor of Pequigny, and the king took the unheard-of step of removing the inquisitor. He at first requested this of the Dominican Provincial of Paris, who possessed the power to do so, but that official called together a chapter, which contented itself with appointing an adjunct, and ordering Foulques to retain office till the middle of the following Lent, in order to complete the trials which he had already commenced. This gave Philippe great offence, which he expressed in the most outspoken terms in letters to his chaplain and to the Bishop of Toulouse, whom he bitterly reproached for advising acceptance of the terms. He did not content himself with words, for simultaneously, December 8, 1301, he wrote to the bishop, the Inquisitor of Toulouse, and the seneschals of Toulouse and Albi, stating that the imploring cries of his subjects, including prelates and ecclesiastics, counts, barons, and other distinguished men, convinced him that Foulques was guilty of the charges preferred against him, including crimes

* MSS. Bib. Nat., fonds latin, No. 4270, fol. 16, 149.

abhorrent to the human mind. He afflicted the people with numerous exactions and oppressions; he was accustomed to commence proceedings with torture inconceivable and incredible, and thus compel confession from those whom he suspected, and when this failed he suborned witnesses to testify falsely. His detestable excesses had created such general terror that a rising of the people was to be apprehended unless some speedy remedy was had. Some further unavailing opposition was made to Foulques's removal, but not much was gained by the appointment of his successor, Guillaume de Morières, who had previously succeeded him in the Priory of Albi. Foulques was gratified with the important Priory of Avignon, and when he subsequently died in poverty at Lyons he was regarded by his Order almost in the light of a martyr.*

Philippe had not contented himself with getting rid of Foulques, but had endeavored to introduce reforms which are interesting not only as a manifestation of the royal supremacy which he assumed, but also as the model of all subsequent endeavors to curb the abuses of the Inquisition. It was natural that this should take the shape of reviving the episcopal power which had become so completely suppressed. Firstly, the prison which the crown had built on its own land in Toulouse for the use of the Inquisition was to be placed under the charge of some one selected by both bishop and inquisitor, and in case of their disagreement by the royal seneschal. The inquisitor was deprived of the power of arbitrary arrest. He was obliged to consult the bishop, and when they could not agree the question was to be decided by a majority vote in an assemblage consisting of certain officials of the cathedral and of the Franciscan and Dominican convents. Arrests were only to be made by the seneschal, after these preliminaries had been observed, except in case of foreign heretics who might escape. The question of bail was to be settled in the same way as that of arrest. In no case was either bishop or inquisitor entitled to obedience when acting individually, for, as the king declared, "We cannot endure that the life and

* MSS. Bib. Nat., fonds latin, No. 4270, fol. 121, 125, 132, 150, 159, 165.—Vaissette, IV. Pr. 118–20.—Bern. Guidon. Hist. Conv. Prædic. (Martene Ampl. Coll. VI. 510).—Arch. de l'hôtel-de-ville d'Albi (Doat, XXXIV. 169).

death of our subjects shall be abandoned to the discretion of a single individual, who, even if not actuated by cupidity, may be insufficiently informed." Inadequate as these reforms eventually proved, they had an excellent temporary effect. For a time the Inquisition was paralyzed, and arrests which had been taking place every week were suddenly brought to an end, for during 1302 these provisions were embodied in a general Ordonnance, and the legislation of 1293 protecting the Jews was repeated. At the same time Philippe was careful to manifest due solicitude for the suppression of heresy, for he published anew the severe edict of St. Louis; and on the appointment of Guillaume de Morières to the Inquisition of Toulouse he wrote to the seneschal instructing him to place the royal prisons at the inquisitor's disposal, to pay him the customary stipend, and to aid him in every way until further orders.*

While the new regulations may have promised relief elsewhere, they gave little comfort at Albi, the inquisitorial proceedings of whose bishop had given rise to the whole disturbance. Its citizens were still languishing in the prison of the Inquisition of Carcassonne, and a numerous deputation of both sexes was sent to the king, accompanied by two Franciscans, Jean Hector and Bertrand de Villedelle. Again Bernard Délicieux was present, having this time been opportunely chosen to represent the Order on a summons from Philippe for consultation on the subject of his quarrel with Pope Boniface. They all followed the king to Pierrefonds and then to Compiègne. He gave them fair words, promised a speedy visit to Languedoc, when he would settle matters, and consoled them with a donation of one thousand livres, which he could well afford to do, for the confiscated estates of the prisoners were in his hands, and were never released.†

All this, of course, gave little satisfaction; nor were the people placated by the removal of Nicholas d'Abbeville, for he was succeeded in the Inquisition of Carcassonne by Geoffroi d'Ablis,

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* Vaissette, IV. Pr. 118-21.—MSS. Bib. Nat., fonds latin, No. 4270, fol. 69.—Isambert, Anc. Loix Franç. II. 747, 789.

† Arch. de l'hôtel-de-ville d'Albi (Doat, XXXIV. 169).—MSS. Bib. Nat., fonds latin, No. 4270, fol. 16, 70, 134, 151.—Coll. Doat, XXXIII. 207-72; XXXIV. 189.

who was as energetic and unsparing as his predecessor, and who brought royal letters, dated January 1, 1303, ordering all officials to render him the customary obedience. Popular excitement grew more and more threatening, and as Albi had no local inquisitors of its own, being within the jurisdiction of the tribunal of Carcassonne, the discontent vented itself on the Dominicans, who were regarded as the representatives of the hated tribunal. On the first Sunday in Advent, December 2, 1302, when the friars went as usual to preach in the churches they were violently ejected and assailed with cries of "Death to the traitors!" and deemed themselves at length fortunate in being able to regain their convent. This state of things continued for several years, during which they scarce dared to show themselves in the streets, and were never secure from insult. All alms and burial-fees were withdrawn, and the people refused even to attend mass in their church. The names of Dominic and Peter Martyr were erased from the crucifix at the principal gate of the town, and were replaced with those of Pequigny and Nepveu, and of two citizens who were leaders in the disturbances—Arnaud Garsia and Pierre Probi of Castres.*

The prisoners of Albi were still as far as ever from liberation, and Bernard Délicieux urged Pequigny to come to Carcassonne and consider their case on the spot. In the summer of 1303 he did so, and was met by a large number of the people of Albi, men and women, praying him to liberate them. While he was investigating the subject he came upon the instrument of pacification between Nicholas d'Abbeville and the consuls of Carcassonne in 1299. This was communicated to the people by Frère Bernard in a fiery sermon, and a knowledge of its conditions aroused them almost to frenzy. Riots ensued in which the houses of some of the old consuls and of those who were regarded as friends of the Inquisition were destroyed; the Dominican church was assailed, its windows broken, the statues in its porch overthrown, and the friars maltreated. To violate the prisons of the Inquisition was so serious a matter that Pequigny seems to have wished the backing of an enraged populace before he would venture on the step; and

* Vaissette, Éd. Privat, X. Pr. 409. — MSS. Bib. Nat., fonds latin, No. 4270 fol. 165.—Bern. Guidon. Hist. Conv. Prædic. (Martene Ampl. Coll. VI. 511).

when he resolved upon it he anticipated resistance so confidently that with his privity Bernard assembled fourscore men, with skilled mechanics, in the Franciscan convent, ready to break open the jails in case of necessity. Their services were not needed. Geoffroi d'Ablis yielded, and in August, 1303, Pequigny removed the prisoners of Albi. He did not discharge them, however, but merely transferred them to the royal prisons, and refused to carry them to the king as Bernard advised. Possibly their treatment for a while may have been gentler, but they derived no permanent advantage from the movement. The grasp of the Inquisition was unrelaxing. It obtained possession of them again, and we shall see that it held them to the last.*

Meanwhile advantage was taken of the access obtained to them to procure from them statements of the tortures which they had endured, and lists were made of the names of those whom they had been forced to accuse as heretics. These were circulated throughout the land and excited general alarm, the Franciscans being especially active in giving them publicity. On the other hand, the inquisitor Geoffroi d'Ablis was equal to the emergency. He cited Pequigny to appear and stand trial for impeding the Inquisition, and on his refusal excommunicated him, September 29; and as soon as word could be carried to Paris he was published as excommunicate by the Dominicans there. This audacious act brought all parties to a sense of the nature of the conflict which had sprung up between Church and State. The consuls and people of Albi addressed to the queen an earnest petition beseeching her to prevail upon the king not to abandon them by withdrawing the Reformers, who had already done so much good and on whom depended their last hope. A fruitless effort also was made to prevent the publication of the excommunication. At Castres, October 13, Jean Ricoles, stipendiary priest of the Church of St. Mary, published it from the pulpit, as he was bound to do, and was promptly arrested by the deputy of the royal viguier of Albi and carried to the Franciscan convent, where he was threatened

* MSS. Bib. Nat., fonds latin, 4270, fol. 8, 17, 19, 20, 32, 44, 49, 58, 156, 162, 229.—Pequigny is also said to have arrested some of the friars connected with the Inquisition (La Faille, Annales de Toulouse I. 34), but I think this impossible.

and maltreated, and the friars used every effort to persuade him to withdraw it. This in itself was a grave violation of clerical immunity, and it was soon recognized that such proceedings were worse than useless. Pequigny's authority was paralyzed until the excommunication should be removed, and this could only be done by the man who had uttered it, or by the pope himself.*

The prospect of relief was darkened by the election, October 21, of Benedict XI., himself a Dominican and necessarily predisposed in favor of the Inquisition. Special exertions evidently were required unless all that had been gained was to be lost, and, at the best, litigation in the Roman court was a costly business. Pequigny had appealed to the pope, and, October 29, he wrote from Paris to the cities of Languedoc asking for their aid in the persecution which he had brought upon himself in their cause. Bernard Délicieux promptly busied himself to obtain the required assistance. By his exertions the three cities of Carcassonne, Albi, and Cordes entered into an alliance and pledged themselves to furnish the sum of three thousand livres, one half by Carcassonne and the rest by the other two, and to continue in the same proportions as long as the affair should last. After Pequigny's death they renewed their obligation to his oldest son Renaud; but as the matter was much protracted, they grew tired, and Bernard, who had raised some of the money on his own responsibility, was left with heavy obligations, of which he vainly sought restitution at the hands of the ungrateful cities.†

The quarrel was thus for a time transferred to Rome. Pequigny went to Italy with envoys from the king and from Carcassonne and Albi to plead his cause, and was opposed by Guillaume de Morières, the Inquisitor of Toulouse, sent thither to manage the case against him. Benedict was not slow in showing on

* MSS. Bib. Nat., fonds latin, 4270, fol. 27, 272.—Arch. de l'Inq. de Carc. (Doat, XXXII. 114).—Bern. Guidon. Hist. Conv. Prædic. (Martene Ampl. Coll. VI. 511).—Vaissette, IV. Pr. 128.—Coll. Doat, XXXIV. 26.

The Dominican party declared that the statements purporting to come from the prisoners were fraudulent, and Bernard Gui relates with savage satisfaction that a monk named Raymond Baudier, who was concerned in getting them up, hanged himself like Judas (l. c. p. 514).

† MSS. Bib. Nat., fonds latin, 4270, fol. 63, 153–55, 272–3.—Hauréau, Bern. Délicieux pp. 187, 190.

which side his sympathies lay. At Perugia, while the pope was conducting the solemnities of Pentecost, May 17, 1304, Pequigny ventured to enter the church. Benedict saw him, and, pointing to him, said to his marshal, P. de Brayda, "Turn out that Patarin!" an order which the marshal zealously obeyed. The significance of the incident was not small, and after the death of both Benedict and Pequigny, Geoffroi d'Ablis caused a notarial instrument recounting it to be drawn up and duly authenticated as one of the documents of the process. The climate of Italy was very unhealthy for Transmontanes. Morières died at Perugia, and Pequigny followed him at Abruzzo, September 29, 1304, the anniversary of his excommunication. Having remained for a year under the ban for impeding the Inquisition, he was legally a heretic, and his burial in consecrated ground is only to be explained by the death of Benedict a short time before. Geoffroi d'Ablis demanded that his bones be exhumed and burned, while Pequigny's sons carried on the appeal for the rehabilitation of his memory. The matter dragged on till Clement V. referred it to a commission of three cardinals. These gave a patient hearing to both sides, who argued the matter exhaustively, and submitted all the necessary documents and papers. At last, July 23, 1308, they rendered their decision to the effect that the sentence of excommunication had been unjust and iniquitous, and that its revocation should be published in all places where it had been announced. Geoffroi fruitlessly endeavored to appeal from this, which was the most complete justification possible of all that had been said and done against the Inquisition, emphasized by Clement's cutting refusal to listen to his statements — "It is false: the land never wished to rebel, but was in evil case in consequence of the doings of the Inquisition," while a cardinal told him that for fifty years the people had been goaded to resistance by the excesses of his predecessors, and that when a corrective was applied they only added evil to evil.*

Benedict XI. had given other proofs of partisanship. It is true that in answer to the complaints of the oppressed people he

* Arch. de l'Inq. de Carc. (Doat, XXXI. 10; XXXII. 114). — Bern. Guidon. Hist. Conv. Prædic. (Martene Ampl. Coll. VI. 510–11). — MSS. Bib. Nat., fonds latin, 4270, fol. 88, 109, 122.

appointed a commission of cardinals to investigate the matter, but there is no trace of their labors, which were probably cut short by his death, July 7, 1304. No commissioners of his selection would have been likely to report adversely to the Inquisition, for he manifested his prejudgment by ordering the Minister of Aquitaine, under pain of forfeiture of office and future disability, to arrest Frère Bernard without warning and send him under sufficient guard to the papal court, as a fautor of heretics and presumably a heretic. The leading citizens of Albi, including G. de Pesenches the viguier and Gaillard Étienne the royal judge, who had sought to aid Pequigny, were also involved in the papal condemnation. The Minister of Aquitaine intrusted to Frère Jean Rigaud the execution of the arrest, which he duly performed, June, 1304, in the convent of Carcassonne, adding an excommunication when Bernard, encouraged by the active sympathy of the people, delayed in obeying the papal summons. He never went, and it is a curious illustration of Franciscan tendencies to see that the minister absolved him from the excommunication, and that the provincial chapter of his Order at Albi decided that he had done all that was requisite, though perhaps Benedict's death in July had relieved them from fears as to the immediate consequences of their contumacy.*

Meanwhile Philippe le Bel had at last fulfilled his promise to visit in person his southern provinces and rectify on the spot the wrongs of which his subjects had so long complained. He was expecting a favorable termination to his negotiation with Benedict for the removal of the excommunications launched by Boniface VIII. against himself and his subjects and chief agents, a result which he obtained May 13, 1304, with exception of the censure inflicted on Guillaume de Nogaret and Sciarra Colonna. When, therefore, he reached Toulouse on Christmas Day, 1303, he was not disposed to excite unnecessarily Benedict's prejudices. From Albi and Carcassonne multitudes flocked to him with cries for redress and protection, and Pequigny spoke eloquently in their behalf. The inquisitors were represented by Guillem Pierre, the

* Arch. de l'hôtel-de-ville d'Albi (Doat, XXXIV. 45). — Arch. de l'Inq. de Carc. (Doat, XXXIV. 14).—MSS. Bib. Nat., fonds latin, 4270, fol. 23, 25, 31, 86, 132, 137, 140-1, 152, 153.

Dominican provincial, while Bernard Délicieux was foremost in the debate. It was on this occasion that he made his celebrated assertion that St. Peter and St. Paul would be convicted of heresy if tried with inquisitorial methods, and when the scandalized Bishop of Auxerre tartly reproved him, he stoutly maintained the truth of what he had said. Friar Nicholas, the king's Dominican confessor, was suspected of exercising undue influence in favor of the Inquisition, and Bernard endeavored to discredit him by accusing him of betraying to the Flemings all the secrets of the royal council. Geoffroi d'Ablis, the Inquisitor of Carcassonne, moreover, was ingratiating himself with Philippe at the moment by skilful negotiations to bring about a reconciliation with Rome.*

Philippe patiently heard both sides, and recorded his conclusions in an edict of January 13, 1304, which was in the nature of a compromise. It recited that the king had come to Languedoc for the purpose of pacifying the country excited by the action of the Inquisition, and had had prolonged consultation on the subject with all who were entitled to express an opinion. The result thus reached was that the prisoners of the Inquisition should be visited by royal deputies in company with inquisitors; the prisons were to be safe, but not punitive. In the case of prisoners not yet sentenced the trials were to be carried to conclusion under the conjoined supervision of the bishops and inquisitors, and this co-operation was to be observed in the future, except at Albi, where the bishop, being suspected, was to be replaced by Arnaud Novelli, the Cistercian Abbot of Fontfroide. The royal officials were strictly ordered to aid in every way the inquisitors and episcopal ordinaries when called upon, and to protect from injury and violence the Dominicans, their churches and houses.†

At Albi the change had the wished-for effect. No more heretics were found and no further prosecutions were required. Yet the refusal of the king to entertain any project of reform other than his previous one of curbing the Inquisition with an illusory

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* Grandjean, Registres de Benoit XI. No. 1253–60, 1276.—MSS. Bib. Nat., fonds latin, 4270, fol. 21, 73, 74, 158, 162, 278.—Molinier, L'Inq. dans le midi de la France pp. 126–7.—Geoffroi d'Ablis had sufficient influence with the king to persuade him to found the Dominican convent of Poissy.

† Vaissette, IV. Pr. 130–1.—MSS. Bib. Nat., fonds latin, 4270, fol. 139.

episcopal supervision was a grievous disappointment. Men naturally argued that if the Dominicans had done right they ought not to be insulted by the proposed episcopal co-operation; and if they had done wrong they ought to be replaced. If any change was called for, the projected one was insufficient. So many hopes had been built upon the royal presence in the land, that the result caused universal dismay, which was not relieved by Philippe's subsequent action. When he visited Carcassonne he was urged to see the unfortunate captives whose persecution had been the prominent cause of the troubles, but he refused, and sent his brother Louis to look at them. Worse than all, the citizens had designed to propitiate him and demonstrate their loyalty by offering him some elaborate silver vessels. These were yet in the hands of the goldsmiths of Montpellier when the royal party came to Carcassonne, so they were sent after him to Béziers, where the presentation was made, a portion to him and the rest to the queen. She accepted the offering, but he not only rejected it, but, when he learned what the queen had done, forced her to return the present. This threw the consuls of Carcassonne into despair. Offerings of this kind from municipalities to the sovereign were so customary and their gracious acceptance so much a matter of course, that refusal in this instance seemed to argue some most unfavorable intentions on the part of the king, which was not unlikely, seeing that Elias Patrice, the leading citizen of Carcassonne, had plainly told him when there that if he did not render them speedy justice against the Inquisition they would be forced to seek another lord, and when Philippe ordered him from his presence the citizens obeyed Patrice's command to remove the decorations from the streets. Imagining that he had been won over by the Dominicans and that his protection would be withdrawn, the prospect of being abandoned to the mercy of the Inquisition seemed so terrible that they wildly declared that if they could not find another lord to protect them they would burn the town and with the inhabitants seek some place of refuge. In consultation with Frère Bernard it was hastily determined to offer their allegiance to Ferrand, son of the King of Majorca.

The younger branch of the House of Aragon, which drew its title from the Balearic Isles, held the remnants of the old French possessions of the Catalans, including Montpellier and Perpignan.

It had old claims to much of the land, and its rule might well be hailed by the people as much more welcome than the foreign domination to which they had been unwillingly subjected. Had the whole region agreed to transfer its allegiance, its reduction might have cost Philippe a doubtful struggle, embarrassed as he was with the chronic disaffection of the Flemings. When, however, the project was broached to the men of Albi, they refused peremptorily to embark in it, and there can be no stronger proof of the desperation of the Carcassais than their resolution to persist in it single-handed. Ferrand and his father were at Montpellier entertaining the French court, which they accompanied to Nîmes. He eagerly listened to the overtures, and asked Frère Bernard to come to him at Perpignan. Bernard went thither with a letter of credence from the consuls, which he prudently destroyed on the road. The King of Majorca, when he heard of the offer, chastened his son's ambition by boxing his ears and pulling him around by the hair, and he ingratiated himself with his powerful neighbor by communicating the plot to Philippe.*

Although there could have been no real danger from so crazy a project, the relation of the southern provinces to the crown were too strained for the king not to exact a vengeance which should prove a warning. A court was assembled at Carcassonne which sat through the summer of 1305 and made free use of torture in its investigations. Albi, which had taken no part in the plot, escaped an investigation by a bribe of one thousand livres to the seneschal, Jean d'Alnet, but the damage inflicted on the Franciscan convent shows that the Dominicans were keen to make reprisals for what they had suffered. The town of Limoux had been concerned in the affair; it was fined and disfranchised, and

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* MSS. Bib. Nat., fonds latin, 4270, fol. 26, 74–8, 88–9, 98, 103–8, 198, 200–3, 226, 233, 265, 279.—Mascaro, Memorias de Bezes, ann. 1336, 1389.

For the tenure of Montpellier by the Kings of Majorca, see Vaissette, IV. 38, 42, 77–8, 151, 235–6. It was not until 1349 that Philippe de Valois bought out the rights of Jayme II., and in 1352 his son Jean was obliged to extinguish the claims still asserted by Pedro IV. of Aragon (Ib. 247, 268, Pr. 219).

Bernard's attention was probably drawn to the House of Majorca by its strong adhesion to the Franciscan Order. Ferrand's older brother died in 1304, in the Franciscan habit, under the name of Fray Jayme. Another brother, Felipe, became a "Spiritual Franciscan," as we shall see hereafter.

forty of its citizens were hanged. As for Carcassonne, all of its eight consuls, with Elias Patrice at their head, and seven other citizens were hanged in their official robes, the city was deprived of self-government and subjected to the enormous fine of sixty thousand livres, a sentence from which it vainly appealed to the Parlement. As Bernard Gui observes with savage exultation, those who had croaked like ravens against the Dominicans were exposed to the ravens. Aimeric Castel, who had sought in this way to obtain redress for the wrong done to his father's memory and estate, escaped by flight, but was captured and long lay a prisoner, finally making his peace with a heavy ransom, and a harvest of fines was gathered into the royal exchequer from all who could be accused of privity. As for Frère Bernard, he received early intelligence from Frère Durand, the queen's confessor, of the discovery of the plot, when he boldly headed a delegation of citizens of Albi who went to Paris to protest their innocence. There Durand informed them that Albi was not implicated, when they returned, leaving Bernard. At the request of the king, Clement V. had him arrested and carried to Lyons, whence he was taken by the papal court to Bordeaux; and when it went to Poitiers he was confined in the convent of St. Junian of Limoges. In May, 1307, at the instance of Clement, Philippe issued letters of amnesty to all concerned, and remitted to Carcassonne the portion of its fine not yet paid, and in Lent, 1308, Bernard was allowed to come to Poitiers. On the king's arrival there he boldly complained to him of his arrest and of the punishment which had involved the innocent with the guilty. As he still had no license to leave the papal court, he accompanied it to Avignon, and was at length discharged with the royal assent—the heavy bribes paid to three cardinals by his friends of Albi having perhaps something to do with his immunity. He returned to Toulouse, and we hear of no further activity on his part. His narrow escape probably sobered his restless enthusiasm, and as the reform of the Inquisition seemed to have been taken resolutely in hand by Clement V. he might well persuade himself that there was no further call for self-sacrifice.*

* MSS. Bib. Nat., fonds latin, 4270, fol. 78–80, 90–1, 196, 247, 252–3, 257–9.—Bern. Guidon. Hist. Conv. Prædic. (Martene Ampl. Coll. VI. 479–80).—Vaissette, IV. 129–30.—Vaissette, Éd. Privat, X. Pr. 461.—Bernard Gui's allusion refers

The death of Benedict XI., in July, 1304, had given fresh hopes to the sufferers from the Inquisition. There was an interregnum of nearly a year before the election of his successor, Clement V., June 5, 1305. During this period a petition to the College of Cardinals was presented by seventeen of the religious bodies of the Albigeois, including the canons of the cathedral of Albi, those of the church of St. Salvi, the convent of Gaillac, etc., imploring in the most pressing terms the Sacred College to intervene and avert the fearful dangers threatening the community. The land, they declare, is Catholic, the people are faithful, cherishing the religion of Rome in their hearts, and professing it with their lips. Yet so fierce are the dissensions between them and the inquisitors, that they are aroused to wrath and are eager to put to the sword those whom they have learned to regard as enemies. Doubtless the inquisitors had taken advantage of the revulsion consequent upon the fruitless treason of Carcassonne and of the altered attitude of the king. Philippe thenceforth interfered no further, save to urge his representatives to renewed vigilance in enforcing the laws against heretics and the disabilities inflicted upon their descendants. It was not only the treason of Carcassonne which indisposed him to interfere; from 1307 onward he needed the indispensable aid of the Inquisition to carry out his designs against the Templars, and he could afford neither to antagonize it nor to limit its powers.*

The Sacred College, monopolized by electioneering intrigues, paid no heed to the imploring prayer of the Albigensian clergy, but when the year's turmoil was ended by the triumph of the French party in the election of Clement V. the hopes raised by the death of his predecessor might reasonably seem destined to fruition. Bertrand de Goth, Cardinal-Archbishop of Bordeaux, was a Gascon by birth, and, though an English subject, was doubtless more familiar than the Italians with the miseries and needs of Languedoc. His transfer of the papacy to French soil was also

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to the insults offered to the Dominicans during the troubles of Carcassonne, when those who ventured into the streets were followed with cries of "Coac, Coac!" "*ad modum corvi*"—MS. No. 4270, fol. 281.

* Arch. de l'hôtel-de-ville d'Albi (Doat, XXXIV. 42).—Arch. de l'Évêché d'Albi (Doat, XXXII. 81).

of good augury. Hardly had the news of his election reached Albi, when Frère Bernard was busy in organizing a mission to represent to him in the name of the city the necessity of relief, and when he visited Toulouse the wives of the prisoners, still languishing in confinement, were taken thither to make their woes emphatically known. Hardly had he been consecrated at Lyons when these complaints poured in and were substantiated by two Dominicans, Bertrand Blanc and François Aimeric, who were as emphatic as the representatives of Albi in their denunciations of inquisitorial methods and abuses. Geoffroi d'Ablis hurried thither from Carcassonne to defend himself in such haste that he left no one to take his place, and was obliged to send from Lyons, September 29, 1305, a commission to Jean de Faugoux and Gerald de Blumac to act in his stead. In this paper his fiery fanaticism breathes forth in his denunciations of the horrid beasts, the cruel beasts, who are ravaging the vineyard of the Lord, and who are to be tracked to their dens and extirpated with unsparing rigor.*

His efforts to justify the Inquisition were unavailing, more especially, perhaps, because the people of Albi bribed Cardinal Raymond de Goth, the pope's nephew, with two thousand livres Tournois, the Cardinal of Santa Croce with as much, and the Cardinal Pier Colonna with five hundred. March 13, 1306, Clement commissioned two cardinals, Pierre of San Vitale (afterwards of Palestrina) and Berenger of SS. Nereo and Achille (afterwards of Frascati), who were about to pass through Languedoc on a mission, to investigate and make such temporary changes as they should find necessary. The people of Carcassonne, Albi, and Cordes had offered to prove that good Catholics were forced to confess heresy through the stress of torture and the horrors of the prisons, and further that the records of the Inquisition were altered and falsified. Until the investigation was completed, the inquisitors were not to consign to strict prison or to inflict torture on

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* MSS. Bib. Nat., fonds latin, 4270, fol. 10–11, 84, 128, 166–7.—Arch. de l'Inq. de Carc. (Doat, XXXII. 83).

Geoffroi's stay at Lyons was prolonged. November 29, we find him issuing commissions to those appointed by his deputies (Doat, XXXII. 85). Jean de Faugoux had been connected with the Inquisition for at least twenty years (Doat, XXXII. 125).

any one except in conjunction with the diocesan, and in the place of the Bishop of Albi the Abbot of Fontfroide was subrogated.

On April 16, 1306, the cardinals held a public session at Carcassonne in presence of all the notables of the place. The consuls of Carcassonne and the delegates of Albi preferred their complaints and were supported by the two Dominicans, Blanc and Aimeric, who had appeared before the pope. On the other hand, Geoffroi d'Ablis and the deputy of the Bishop of Albi defended themselves and complained of the popular riots and the ill-treatment to which they had been exposed. After hearing both sides the cardinals adjourned further proceedings until January 25, at Bordeaux, where Carcassonne, Albi, and Cordes were each to send four procurators to conduct the matter. As this office was a most dangerous one, the cardinals gave security to them against the Inquisition during the performance of their duty. This was no idle precaution, and Aimeric Castel, one of the representatives of Carcassonne, found himself in such danger that in September, 1308, he was obliged to procure from Clement a special bull forbidding the inquisitors to assail him until the termination of the affair. Even greater danger impended over any witnesses called upon to prove the falsification of records, as they were bound to silence under oaths which exposed them to the stake as relapsed heretics in case they revealed their evidence, and the cardinals were asked to absolve them from these oaths.*

If there were any further formal proceedings in this matter, which thus assumed the shape of a litigation between the people and the Inquisition, they have not reached us. Yet the cardinals, before continuing their journey, took some steps which showed that they were convinced of the truth of the accusations. They visited the prison of Carcassonne, and caused the prisoners, forty in number, of whom three were women, to be brought before them. Some of these were sick, others worn with age, and all tearfully complaining of the horrors of their lot, the insufficiency of food and bedding, and the cruelty of their keepers. The cardinals were moved to dismiss all the jailers and attendants except the chief,

* MSS. Bib. Nat., fonds latin, No. 4270, fol. 254.—Arch. de l'hôtel-de-ville d'Albi (Doat, XXXIV. 45).—Arch. de l'Inq. de Carc. (Doat, XXXIII. 48).

and to put the prison under the control of the Bishop of Carcassonne. It is significant that the oath imposed on the new officials bound them never to speak to a prisoner except in the presence of an associate, and not to steal any of the food destined for those under their charge. One of the cardinals visited the prison of the Bishop of Albi, where he found the jailers well spoken of, but was shocked with the condition of the prisoners. Many of them were in chains and all in narrow, dark cells, where some of them had been confined for five years or more without being yet condemned. He ordered all chains removed, that light should be introduced in the cells, and that new and less inhuman ones should be built within a month. As regards general amelioration in inquisitorial proceedings, the only regulation which they issued was a confirmation of Philippe's expedient, requiring the co-operation of the diocesan with the inquisitor, and this was withdrawn by Clement, August 12, 1308, in an apologetic bull declaring that the cardinals had exceeded his intentions.*

The existence of the evils complained of was thus admitted, but the Church shrank from applying a remedy, and, after the struggle of years, relief was as illusory as ever. Even with regard to the crying and inexcusable abuse of the detention of prisoners in these fearful dungeons for long years without conviction or sentence, Clement found himself powerless to effect reform in the most flagrant cases. The inquisitors had in their archives a bull of Innocent IV. authorizing them to defer indefinitely passing sentence when they deemed that delay was in the interest of the faith, and of this they took full advantage. Of the captives seized by the Bishop of Albi in 1299, many were still unsentenced when the Cardinal of San Vitale examined his prisons. This visit passed away without result. Five years afterwards, in 1310, Clement wrote to the Bishop of Albi and Geoffroi d'Ablis that the citizens

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* Arch. de l'hôtel-de-ville d'Albi (Doat, XXXIV. 45).—Arch. de l'Inq. de Carc. (Doat, XXXIV. 89, 112).—Bern. Guidon Gravam. (Doat, XXX. 95–6.)—Ripoll II. 112.

I designed printing in the Appendix the Gravamina of Bernard Gui and the report of the Cardinals. M. Charles Molinier, however, I understand, is engaged on an edition of these documents, to be accompanied with a complete apparatus, which will render any other publication superfluous.

of Albi, whom he names, had repeatedly appealed to him, after more than eight years of imprisonment, to have their trials completed either to condemnation or absolution. He therefore orders the trials proceeded with at once and the results submitted for confirmation to the Cardinals of Palestrina and Frascati, his former commissioners. Bertrand de Bordes, Bishop of Albi, and Geoffroi d'Ablis contemptuously disregarded this command, because some of the prisoners named in it had died before its date, whence they argued that the papal letter had been surreptitiously obtained. When this contumacy reached the ears of Clement, some year or two later, he wrote to Geraud, then Bishop of Albi, and Geoffroi, peremptorily reiterating his commands and ordering them to try both living and dead. In spite of this, Geoffroi maintained his sullen contumacy. We have no means of knowing the fate of most of these unfortunates, who probably rotted to death in their dungeons without their trials being concluded; but of some of them we have traces, as related in a former chapter. After Clement and his cardinals had passed away, and no further interference was to be dreaded, in 1319 two surviving ones, Guillem Salavert and Isarn Colli, were brought out for further examination, when the former confirmed his confession and the latter retracted it as extorted under torture. Six months later, Guillem Calverie of Cordes, who had been imprisoned in 1301, was abandoned to the secular arm for retracting his confession (probably before Clement's cardinals), and Guillem Salavert was allowed to escape with wearing crosses, in consideration of his nineteen years' imprisonment without conviction. Even as late as 1328 attested copies made by order of the royal judge of Carcassonne, of inventories of personal property of Raymond Calverie and Jean Baudier, two of the prisoners of 1299–1300, show that their cases were still the subject of litigation. Even more remarkable as a manifestation of contumacy is the case of Guillem Garric, held in prison for complicity in the attempt to destroy the records at Carcassonne in 1284. Royal letters of 1312 recite that his merits and piety had caused Clement V. to grant him full pardon, wherefore the king restores to him and his descendants his confiscated castle of Monteirat. Yet the Inquisition did not relax its grip, but waited until 1321, when he was brought forth from prison, and in consideration of his contrition Bernard Gui

mercifully sentenced the old man to perpetual banishment from France within thirty days.*

Another endeavor was made by Clement to repress the abuses of the Inquisition by transferring from its jurisdiction to that of the bishops the Jews of the provinces of Toulouse and Narbonne on account of the undue molestation to which they were continually subjected. This transfer even included cases then pending, but after Clement's death a bull was produced in which he annulled the previous one and restored the jurisdiction of the Inquisition.†

The outcome of all this struggle and investigation is to be found in the measures of reform adopted in 1312 by the Council of Vienne at Clement's instance. The five books of canon law known as the "Clementines," which were enacted by the council, were retained for revision by Clement, who was on the point of publishing them when he died, April 20, 1314. They were held in suspense during the long interregnum which followed, and were not authoritatively given to the world until October 25, 1317, by John XXII. The canons relating to the Inquisition have been alluded to above, and it will be remembered that they only restricted the power of the inquisitor by requiring episcopal concurrence in the use of torture, or of harsh confinement equivalent to torture, and in the custody of prisons. There was a *brutum fulmen* of excommunication denounced against those who should abuse their power for purposes of hate, affection, or extortion, and the importance of the whole lies far less in the remedies it proposes than in its emphatic testimony of the existence of cruelty and

* Arch. de l'Inq. de Carc. (Doat, XXXI. 74; XXXIV. 89).—MSS. Bib. Nat., fonds latin, No. 11847.—Lib. Sententt. Inq. Tolos. pp. 228, 266–7, 282–5.—Coll. Doat, XXXII. 309, 316.—Vaissette, Éd. Privat, X. Pr. 526.

† Archives de l'Inq. de Carcassonne (Doat, XXXVII. 255).

The Inquisition seems to have by some means acquired jurisdiction over the Jews of Languedoc. In 1279 there is a charter granted by Bernard, Abbot of S. Antonin of Pamiers, to the Jews of Pamiers, approving of certain statutes agreed upon among themselves concerning their internal affairs, thus showing them subjected to the abbatial jurisdiction. Yet in 1297 we have a letter from the inquisitor, Frère Arnaud Jean, ordering the Jews of Pamiers to live according to the customs of the Jews of Narbonne, and promising not to introduce "*aliquas graves et insolitas novitates.*" During the interval they had thus passed into the hands of the Inquisition.—Coll. Doat, XXXVII. 156, 160.

corruption in every detail of inquisitorial practice. Bernard Gui vainly raised his voice in an earnest and elaborate protest against the publication of the new rules, and after their promulgation he did not hesitate openly to tell his brethren that they required to be modified or rather wholly suspended by the Holy See, but his expostulations were totally uncalled for. The closest examination of inquisitorial methods before and after the publication of the Clementines fails to reveal any influence exercised by them for good or for evil. No trace of any practical effort for their enforcement is to be found, and inquisitors went on, as was their wont, in the arbitrary fashion for which their office gave them such unlimited opportunity.*

One case may indeed be cited to show a special relaxation of the procedure against heretics. Philippe's hatred of Boniface VIII. was undying, and could not be quenched even by the miserable end of his enemy. Yet the one thing which he failed to wring from his tool in the papal chair was the condemnation of the memory of Boniface as a heretic. After repeated efforts he compelled Clement to take testimony on the subject, and a cloud of witnesses were produced who swore with minute detail to the unbelief of the late pope in the immortality of the soul, and in all the doctrines of the incarnation and the atonement, and to his worship of demons, to his cynical and unnatural lasciviousness, and to the common fame which existed in the community as to his evil beliefs and habits. The witnesses were reputable churchmen for the most part, and their evidence was precise. A tithe of such testimony would have sufficed to burn the bones and disinherit the heirs of a score of ordinary culprits, but for once the recognized rules of procedure were set aside. Philippe was forced

* Martin Fuldens. Chron. ann. 1312.—C. 1, 2, 3, Clement. v. iii.—Bern. Guidon. Gravam. (Doat, XXX.).—Bern. Guidon. Practica, P. iv. c. 1.

It is due to Clement to say that doubtless he devised a much more thorough reform, and the meagreness of the outcome is probably attributable to the final revision under John XXII. Angelo da Clarino, writing from Avignon in 1313, about the new canons, which were then supposed to be ready for issue, says: "*Inquisitores etiam heretice pravitatis restringuntur et supponuntur episcopis*"—which would argue something much more decisive than the regulations as they finally appeared.—Franz Ehrle, Archiv. für Litteratur- u. Kirchengeschichte, 1885, p. 545.

to desist from the pursuit, though Clement in his final bull of April 27, 1311, declared that the king and his witnesses had been actuated solely by zeal for the Church, and the affair fell through. The pretensions put forth by Boniface in his offensive decretals were formally withdrawn, and Guillaume de Nogaret obtained his long-withheld absolution.*

Clement died at Carpentras April 20, 1314, carrying with him the shame and guilt of the ruin of the Templars, and was followed in about seven months (November 29) by his tempter and accomplice, Philippe le Bel. The cardinals on whom devolved the choice of a successor to St. Peter were torn with dissensions. The Italians demanded that the election should be held in the Eternal City. The French, or Gascons, as they were called, insisted on the observance of the rule that the selection should be made on the spot where the last pontiff had expired, knowing that in Italy they would be exposed to the same insults and annoyances as were inflicted in France on their Italian brethren. Shut up in the episcopal palace of Carpentras, the conclave awaited in vain the inspiration of the Holy Ghost, even though those outside tried the gentle expedient of cutting off the food of the members and pillaging their houses. The situation grew so insupportable that, as a last desperate resort, on July 23, 1314, the Gascon faction, under the lead of Clement's nephews, set fire to the palace and threatened the Italians with death, so that the latter were glad to escape with their lives by breaking a passage through the rear wall. Two years passed away without the election of a visible head of the Church, and the faithful might well fear that they had seen the last of the popes. The French court, however, had found itself so well abetted by a French pope that its policy required the chair of St. Peter to be filled, and in 1216 Louis Hutin sent his brother, Philippe le Long, then Count of Poitiers, to Lyons with orders to get the cardinals together. To accomplish this Philippe was obliged to swear that he would neither do them violence nor imprison them, and they, having thus secured their independence, were no more disposed to accord than before. For six months the business thus lagged without prospect of result, when Philippe received the news of the sudden death of his brother, and that the

* Du Puy, Histoire du Differend, Preuves, pp. 522–602.

widowed queen claimed to be pregnant. The prospect of a vacant throne, or at least of a regency, awaiting him in Paris rendered further dallying in Lyons insupportable, nor could he well depart without bringing his errand to a successful issue. Hastily counselling with his lawyers, it was discovered that his oath was unlawful and therefore not to be observed. Consequently he invited the reverend fathers to a colloquy in the Dominican convent, and when they were thus safely hived he sternly told them that they should not depart till they had chosen a pope. His guards blocked every entrance, and he hastened off to Paris, leaving them to deliberate in captivity. Thus entrapped they made a merit of necessity, though forty days were still required before they proclaimed Jacques d'Ozo, Cardinal of Porto, as the Vicar of Christ—the Italians having been won over by his oath that he would never mount a horse or mule except to go to Rome. This oath he kept during his whole pontificate of eighteen years, for he slipped down the Rhone to Avignon by boat, ascended on foot to the palace, and never left it except to visit the cathedral which adjoined it. Such a process of selection was not likely to result in the evolution of a saint, and John XXII. was its natural exponent. His distinguished learning and vigorous abilities had elevated him from the humblest origin, while his boundless ambition and imperious temper provoked endless quarrels from which his daring spirit never shrank.*

With his election the troubles of the Inquisition of Languedoc were over. Though he published the Clementines, he soon let it be seen that the inquisitors had nothing to fear from him, and they made haste to pay off the accumulated scores of vengeance. The first victim was Bernard Délicieux. During the pontificate of Clement and the interregnum he had lived in peace, and might well imagine that his enthusiasm for the people of Languedoc had been forgotten. His earnest nature had led him to join the section of his order known as the Spirituals, and he had been promi-

* Joann. Canon. S. Victor. Chron. ann. 1314-16.—Rymer, Fœdera, III. 494-5.—Grandes Chroniques, ann. 1314-16.—Bern. Guidon. Vit. Joann. PP. XXII.—Ptolmaei Lucens. Append.

John XXII. has always passed as the son of a cobbler of Cahors. Recent researches, however, render it probable that he belonged to a well-to-do burgher family.—A. Molinier (Vaissette, Éd. Privat, X. 363).

nent in the movements by which, during the vacancy of the Holy See, they had gained possession of the convents of Béziers and Narbonne. One of the first cares of John XXII. was to heal this schism in the Order, and he promptly summoned before him the friars of Béziers and Narbonne. Bernard had not hesitated in signing an appeal to the pope, and he now boldly came before him at the head of his brethren. When he undertook to argue their cause he was accused of having impeded the Inquisition and was promptly arrested. Besides the charge of impeding the Inquisition, others of encompassing by magic arts the death of Benedict XI., and of treason in the affair of Carcassonne, were brought against him. A papal commission was formed to investigate these matters, and for more than two years he was held in close prison while the examination went slowly on. At length it was ready for trial, and September 3, 1319, a court was convened at Castelnaudari consisting of the Archbishop of Toulouse and the Bishops of Pamiers and St. Papoul, when the archbishop excused himself and left the matter in the hands of his associates, who transferred the court to Carcassonne, September 12. The importance attached to the trial is shown by the fact that at it the Inquisition was represented by the inquisitor Jean de Beaune, and the king by his Seneschal of Carcassonne and Toulouse and his "Reformers," Raoul, Bishop of Laon, and Jean, Count of Forez.*

The official report of the trial has been preserved in all its immense prolixity, and there are few documents of that age more instructive as to what was then regarded as justice. Some of Bernard's old accomplices, such as Arnaud Garsia, Guillem Fransa, Pierre Probi, and others, who had already been seized by the Inquisition, were brought forward to be tried with him and were used as witnesses to save their own lives by swearing his away. The old man, worn with two years of imprisonment and constant examination, was subjected for two months to the sharpest cross-questioning on occurrences dating from twelve to eighteen years previous, the subjects of the multiform charges being ingeniously intermingled in the most confusing manner. Under pretext of

* Joann. Can. S. Victor. Chron. ann. 1311, 1316–19.—Historia Tribulationum (Archiv. für Litteratur- u. Kirchengeschichte, 1886, pp. 145–8).—Wadding. ann. 1318, No. 26–7.—MSS. Bib. Nat., fonds latin, No. 4270, fol. 1, 39.

seeking the salvation of his soul he was solemnly and repeatedly admonished that he was legally a heretic for remaining for more than a year under the *ipso facto* excommunication incurred by impeding the Inquisition, and that nothing could save him from the stake but absolute submission and full confession. Twice he was tortured, the first time, October 3, on the charge of treason, and the second, November 20, on that of necromancy; and though the torture was ordered to be "moderate," the notaries who assisted at it are careful to report that the shrieks of the victim attested its sufficiency. In neither case was anything extracted from him, but the efficacy of the combined pressure thus brought to bear on a man weakened by age and suffering is shown by the manner in which he was brought day by day to contradict and criminate himself, until at last he threw himself on the mercy of the court, and humbly begged for absolution.*

In the sentence, rendered December 8, he was acquitted of attempting the life of Benedict XI., while on the other charges his guilt was aggravated by no less than seventy perjuries committed under examination. After abjuration, he was duly absolved and condemned to degradation from holy orders and imprisonment for life, in chains and on bread and water, in the inquisitorial prison of Carcassonne. Considering the amnesty proclaimed in 1307 by Philippe le Bel, and the discharge of Frère Bernard in 1308, it seems strange that now the representatives of Philippe le Long at once protested against the sentence as too mild, and appealed to the pope. The judges themselves did not think so, for in delivering the prisoner to Jean de Beaune they humanely ordered that in view of his age and debility, and especially the weakness of his hands (doubtless crippled in the torture-chamber), the penance of chains and bread and water should be omitted. Jean de Beaune may be pardoned if he felt a fierce exultation when the ancient enemy of his office was thus placed in his hands to expiate the offence which had so harassed his predecessors; and that exultation was perhaps increased when, February 26, 1320, the relentless

* MSS. Bib. Nat., fonds latin, No. 4270, fol. 5, 81, 103–4, 146–7, 169.

Arnaud Garsia and Pierre Probi were kept in prison until 1325, when they were released on payment of two thousand gold florins, and such penance as Jean Duprat, the inquisitor, might impose on them. Their sequestrated property was ordered to be restored.—Vaissette, Éd. Privat, X. Pr. 645.

pope, possibly to gratify the king, countermanded the pitying order of the bishops, and required the sentence to be executed in all its terrible rigor. Under these hardships the frail body which had been animated by so dauntless a spirit soon gave way, and in a few months merciful death released the only man who had dared to carry on a systematic warfare with the Inquisition.*

The progress of reaction had been rapid. In 1315 Louis Hutin had issued an edict in which were embodied most of the provisions of the laws of Frederic II. This piece of legislation, perfectly superfluous in view of the eighty years' career of the Inquisition in his dominions, is only of interest as showing the influence already obtained by the Dominicans during the papal interregnum. With the election of John XXII., notwithstanding his publication of the Clementines, all fear of interference disappeared, and the populations were surrendered again to the unchecked authority of the inquisitors. There was a significant notice to this effect in the withdrawal by the new pope, March 30, 1318, of the security given by Clement's cardinals to Aimeric Castel and the other citizens of Carcassonne, Albi, and Cordes, who were deputed to carry on the case of those cities against the inquisitors, and the latter were directed to prosecute them diligently. The Inquisition recognized that its hour of triumph had come, and took in hand the survivors of those who had been conspicuous in the disturbances of fifteen years before. The unconvicted prisoners of 1299 and 1300, whom it had held in defiance of the reiterated orders of Clement — at least those who had not rotted to death in its dungeons — were brought forth and disposed of. A still more emphatic assertion of its renewed mastery was the subjection and "reconciliation" of the rebellious towns. Of what took place at Carcassonne we have no record, but it probably was the same as the ceremonies performed at Albi. There, March 11, 1319, the consuls and councillors and a great crowd of citizens were assembled in the cathedral cemetery, before Bishop Bernard and the inquisitor Jean de Beaune. There, with uplifted hands, they all professed repentance in the most humiliating terms, and swore to accept whatever penance

* Lib. Sententt. Inq. Tolosan. pp. 268–73.—MSS. Bib. Nat., fonds latin, No. 4270, fol. 186–92.—Jo. a S. Victore Memor. Historiale ann. 1319 (Bouquet, XXI. 664).

might be imposed upon them, and thereafter to obey implicitly the bishop and inquisitor. Then those present, together with the dead who had shown signs of penitence, were relieved from excommunication, the rest of the population being required to apply for absolution within a month. The announcement of the penances followed. The town was to make good all expenses and losses accruing to the episcopate and Inquisition by reason of the troubles; it was to build and complete within two years a chapel to the cathedral, and a portal to the Dominican church; to give fifty livres to the Carmelites to be expended on their church, and, finally, to construct marble tombs for Nicholas d'Abbeville, and Foulques de Saint-Georges at Lyons and Carcassonne, where those inquisitors had died in poverty and exile by reason of the rebellion of the inhabitants. Ten pilgrimages, moreover, were designated for the survivors of those who in 1301 had bound themselves to prosecute Bishop Bertrand and Nicholas d'Abbeville in the royal court, as well as for those who had served as consuls and councillors from 1302 to 1304. Jean de Beaune seems to have considered it a special grace when, in December, 1320, he postponed the performance of their pilgrimages during the year from Easter, 1321, to 1322. The town of Cordes, June 29, 1321, was "reconciled" with a similar humiliating ceremony and pledges of future obedience. Thus the Inquisition celebrated its triumph in the long struggle. It had won the victory, and its opponents could only save themselves by unconditional surrender.*

Whether the citizens of Albi whose arrest in 1299 gave rise to so many troubles were really heretics or not cannot now be determined. Their confessions were precise and detailed, but, as their defenders alleged, the Inquisition had ample means of extorting what it pleased from its victims, and the long delay in convicting them would seem to argue that the tribunal had good reason for not wishing its sentences to see the light while there was chance of their being subjected to scrutiny under Clement V. The inquisitors urged in justification a single case, that of Lambert de

* Isambert, Anc. Loix Franç. III. 123.—Arch. de l'Inq. de Carc. (Doat, XXXII. 138).—MSS. Bib. Nat., fonds latin, No. 11847.—Lib. Sententt. Inq. Tolos. pp. 228, 244–8, 266–7, 277–81.—Arch. de l'hôtel-de-ville d'Albi (Doat, XXXIV. 169, 185).

Foyssenx, who complained to Clement's cardinals that he had been unjustly accused, but who subsequently asserted his heresy defiantly, refused to recant, and was burned in 1309. This is the only instance of the kind, for the wretched survivors who were led to abjure and recant in 1319 were broken by prison and torture, and their evidence is worthless.*

Yet Bernard Gui was undoubtedly correct when he asserted that the troubles and limitations imposed on the Inquisition under Philippe le Bel led to the recrudescence of a heresy which had been nearly extinguished. In the debate before the king at Toulouse, in 1304, Guillem Pierre, the Dominican provincial, asserted that there were then in Languedoc no heretics except some forty or fifty in Albi, Carcassonne, and Cordes, and for a few leagues around them. This was doubtless an exaggeration, but with improved prospects of immunity perfected missionaries were invited from Lombardy and Sicily, and the number of believers rapidly increased. Bernard Gui boasts that from 1301 to 1315 there were more than a thousand detected by the Inquisition, who confessed and were publicly punished.†

The registers of Geoffroi d'Ablis at Carcassonne in 1308–9 show great activity rewarded by abundant results, and one of the witnesses in the trial of Bernard Délicieux tells us that, when the Inquisition was able to resume its labors there, many heretics and believers were promptly discovered.‡ About the same period commence the sentences of the Inquisition of Toulouse published by Limborch. In 1306 Bernard Gui had been appointed inquisitor at Toulouse. His numerous works attest his wide range of learning and incessant mental activity, while his practical skill in affairs was animated with a profound conviction of the wickedness of heresy and of the duty of his Order to enforce, at every cost, submission to Rome. Two missions as papal legate, one to Italy and the other to France, and two bishoprics, those of Tuy and Lodève, attest the value set on his services by John XXII. With his appointment at Toulouse he promptly commenced the long campaign

* Bern. Guidon. Gravam. (Doat, XXX. 97).

† Ibid. (Doat, XXX. 96, 98).—MSS. Bib. Nat., fonds latin, No. 4270, fol. 138–9, 213.

‡ Molinier, L'Inq. dans le midi de la France, p. 111.—MSS. Bib. Nat., fonds latin, No. 4270, fol. 285.

which resulted in the virtual extirpation of Catharism in Languedoc. Yet, though stern and unsparing when the occasion seemed to demand it, his record bears no trace of useless cruelty or abusive extortion.*

Catharism by this time had been forced back to the humbler class among whom it had found its first disciples. The nobles and gentlemen who had so long upheld it had perished or been impoverished by the remorseless confiscations of three quarters of a century. The rich burghers of the cities—merchants and professional men—had learned the temptations held out by their wealth and the impossibility of avoiding detection. The fascinations of martyrdom have their limits, and the martyrs among them had been gradually but surely weeded out. Yet the old beliefs were still rooted among the simple folk of country hamlets and especially in the wild valleys among the foothills of the eastern Pyrenees. The active intercourse with Lombardy, and even with Sicily, was still kept up, and there were not wanting earnest ministers who braved every danger to administer to believers the consolations of their religion and to spread the faith in the fastnesses which were its last refuge. Chief among these was Pierre Autier, formerly a notary of Ax (Pamiers). His early life had not been pure, for we hear of his *druda*, or mistress, and his natural children, but with advancing years he embraced all the asceticism of the sect, to which he devoted his life. Driven to Lombardy in 1295, he returned in 1298 to remain on his native soil to the end, and to endure a war to the knife from the Inquisition. His property was confiscated and his family dispersed and ruined. The region to which he belonged lay at the foot of the Pyrenees, rugged, with few roads and many caves and hiding-places, whence escape across the frontier to Aragon was comparatively facile; it was full of his kindred who were devoted to him, and here for eleven years he maintained himself, lurking in disguise and wandering from place to place with the emissaries of the Holy Office ever on his track. He had been ordained to the ministry at Como, and speedily acquired authority in the sect of which he became one of the most zealous, indefatigable, and intrepid missionaries. Already, in 1300, he was

* Bern. Guidon. Hist. Conv. Prædic. (Martene Ampl. Coll. VI. 469).—Touron, Hommes illustres de l'Ordre de S. Dominique, II. 94.

so conspicuous that every effort was made for his apprehension. A certain Guillem Jean offered the Dominicans of Pamiers to betray him, but the treachery became known among the faithful, two of whom, Pierre d'Aère and Philippe de Larnat enticed Guillem to the bridge at Alliat by night, seized him, gagged him, carried him off to the mountains, and, after extorting a confession, cast him over a precipice. Worthy lieutenants of Pierre Autier were his brother Guillem and his son Jacques, Amiel de Perles, Pierre Sanche, and Sanche Mercadier, whose names occur everywhere throughout the confessions as active missionaries. Jacques Autier on one occasion had the boldness to preach at midnight to a gathering of heretic women in the Church of Sainte-Croix in Toulouse, the spot being selected as one in which they could best hold their meeting undisturbed.*

The work of Geoffroi d'Ablis in Carcassonne seems to be principally directed to determining the protectors and refuges of Pierre Autier. At Toulouse Bernard Gui was energetically employed in the same direction. The heretic was driven from place to place, but the wonderful fidelity of his disciples seemed to render all efforts vain, and finally Bernard was driven to the expedient of issuing, August 10, 1309, a special proclamation as an incitement for his capture.

"Friar Bernard Gui, Dominican, Inquisitor of Toulouse, to all worshippers of Christ, the reward and crown of eternal life. Gird yourselves, Sons of God; arise with me, Soldiers of Christ, against the enemies of his Cross, those corrupters of the truth and purity of Catholic faith, Pierre Autier, the heresiarch, and his coheretics and accomplices, Pierre Sanche and Sanche Mercadier. Hiding in concealment and walking in darkness, I order them by the virtue of God, to be tracked and seized wherever they may be found, promising eternal reward from God, and also a fitting temporal payment to those who will capture and produce them. Watch, therefore, O pastors, lest the wolves snatch away the sheep of your flock! Act manfully, faithful zealots, lest the adversaries of the faith fly and escape!"

This stirring exhortation was probably superfluous, for the prey was captured before it could have been published throughout the land. The arrest of nearly all his family and friends, in 1308–9, had driven Pierre Autier from his accustomed haunts.

* Lib. Sententt. Inq. Tolos. pp. 2, 3, 12, 13, 32, 68, 76, 81, 159.—Molinier, L'Inq. dans le midi de la France, pp. 145–56.

About St. John's Day (June 24), 1309, he found refuge with Perrin Maurel of Belpech, near Castelnaudari, where he lay for five weeks or more. Thither came his daughter Guillelma, who remained with him a short time, and the two departed together. The next day he was captured. Perrin Maurel was likewise seized, and with customary fidelity stoutly denied everything until Pierre Autier, in prison, advised him in December to confess.*

This triumph was followed in October by the capture of Amiel de Perles, who forthwith placed himself in *endura*, refusing to eat or drink, and, as he was fast sinking, to prevent the stake from being robbed of its prey, a special *auto de fé* was hurriedly arranged for his burning, October 23. While yet his strength lasted, however, Bernard Gui enjoyed the ghastly amusement of making the two heresiarchs in his presence perform the act of heretical "adoration."†

Pierre Autier was not burned until the great *auto de fé* of April, 1310, when Geoffroi d'Ablis came from Carcassonne to share in the triumph. The heresiarch had not sought to conceal his faith, but had boldly declared his obnoxious tenets and had pronounced the Church of Rome the synagogue of Satan. That he was subjected to the extremity of torture, however, there can be no reasonable doubt—not to extract a confession, for this was superfluous, but to force him to betray his disciples and those who had given him refuge. His intimate acquaintance with all the heretics of the land was a source of information too important for Bernard Gui to shrink from any means of acquiring it; and the copious details thus obtained are alluded to in too many subsequent sentences for us to hesitate as to the methods by which the heresiarch was brought to place his friends and associates at the mercy of his tormentors.‡

This may be said to close the bloody drama of Catharism in Languedoc. Armed with the revelations thus obtained, Bernard Gui and Geoffroi d'Ablis required but a few years more to convert or burn the remnant of Pierre Autier's disciples who could be caught, and to drive into exile those who eluded their spies. No new and self-devoted missionaries arose to take his place, and

* Molinier, op. cit. p. 157.—Lib. Sententt. Inq. Tolos, p. 102.

† Lib. Sententt. Inq. Tolos. p. 37.

‡ Lib. Sententt. Inq. Tolos. pp. 59, 60, 64, 73, 74, 75, 92-3, 132.

after 1315 the Patarin almost disappears from the records of the Inquisition in France. Some few scattering cases subsequently occur, but their offences are of old date and almost invariably revert to the missionary work of Pierre Autier and his associates. One of the latest of these is recorded in an undated sentence, probably of 1327 or 1328, in which Jean Duprat, Inquisitor of Carcassonne, condemns Guillelma Tornière. She had abjured and had been long confined in prison, where she was detected in making converts and praising Guillem Autier and Guillem Balibaste as good and saintly men. Under interrogation she refused to take an oath, and was accordingly burned. In 1328, Henri de Chamay of Carcassonne condemned to prison Guillem Amiel for Catharism, and in 1329 he sentenced two Cathari, Bartolomé Pays and Raymond Garric of Albi, whose offences had been committed respectively thirty-five and forty years before. In the same year he ordered four houses and a farm to be demolished because their owners had been hereticated in them, but these acts had doubtless been performed long previous. Confiscations still continued for ancestral offences, but Catharism as an existing belief may be said at this period to be virtually extinct in Languedoc, where it had a hundred and fifty years before had a reasonable prospect of becoming the dominant religion.*

In the same year, 1329, occurred a case which is not without interest as showing how an earnest but unstable brain pondering over the crime and misery of the world, wove some of the cruder elements of Catharism and Averrhoism into a fantastic theory.

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* Lib. Sententt. Inq. Tolos. pp. 341–2.—Coll. Doat, XXVII. 198–200, 248; XXVIII. 128, 158.

The entire disappearance of a sect once so numerous and powerful as the Cathari has appeared so unlikely that there has been a widespread belief that their descendants were to be found in the Cagots—the accursed race of the Pyrenees who in French Navarre were only admitted to common legal rights in 1709, and in the Spanish province in 1818, some of them still existing in the latter. The Cagots themselves even assumed this to be their origin in an appeal to Leo X., in 1517, to be restored to human society, and claimed that their ancestral errors had been long atoned for. Yet among all the conjectures as to the origin of this mysterious class, the descent from Catharans would seem to be the least admissible, and M. de Lagrèze's opinion that they are descendants of lepers is sustained by arguments which appear to be convincing.—Lagrèze, La Navarre Francaise I. 53–60. Cf. Vaissette, Liv. XXXIV. c. 79.

Limoux Noir, of Saint-Paul in the diocese of Alet, had already been tried by his bishop in 1326, but had been able to evade the unskilled officials of the episcopal tribunal. The Inquisition had surer methods and speedily brought him to confession. He had formed a philosophy of the Universe which superseded all religion. God had created the archangels, these the angels, and the latter the sun and moon. These heavenly bodies, as being unstable and corruptible, were females. Out of their urine the world was formed, and was necessarily corrupt, with all that sprang from it. Moses, Mahomet, and Christ were all sent by the sun and were teachers of equal authority. In the under world Christ and Mahomet are now disputing and seeking to gain followers. Baptism was of no more use than the circumcision of Israel or the blessing of Islam, for those who renounced evil in baptism grew up to be robbers and strumpets. The Eucharist was naught, for God would not let himself be handled by adulterers such as the priests. Matrimony was to be shunned, for from it sprang robbers and strumpets. Thus he explained away and rejected all the doctrines and practices of the Church. To see whether the Saviour's fast of forty days was possible, he had fasted in a cabin ten days and nights, at the end of which this system of philosophy had been revealed to him by God. Again, in 1327, he had placed himself in *endura*, with the resolve to carry it to the end, but had been persuaded by his brother to take the Eucharist, to save his bones from being burned after his death. He was sixty years old, and his crazy doctrines had brought him a few disciples, but the sect was crushed at the outset. He declared to the inquisitor that he would rather be flayed alive than believe in transubstantiation, and he proved his resolute character by resisting all attempts to induce him to recant, so that there was no alternative but to abandon him to the secular arm, which was duly done and his belief perished with him.*

Thus the Inquisition triumphed, as force will generally do when it is sufficiently strong, skilfully applied, and systematically continued without interruption to the end. In the twelfth century the south of France had been the most civilized land of Eu-

* Coll. Doat, XXVII. 216–25, 234.

rope. There commerce, industry, art, science, had been far in advance of the age. The cities had won virtual self-government, were proud of their wealth and strength, jealous of their liberties, and self-sacrificing in their patriotism. The nobles, for the most part, were cultivated men, poets themselves or patrons of poetry, who had learned that their prosperity depended on the prosperity of their subjects, and that municipal liberties were a safeguard, rather than a menace, to the wise ruler. The crusaders came, and their unfinished work was taken up and executed to the bitter end by the Inquisition. It left a ruined and impoverished country, with shattered industry and failing commerce. The native nobles were broken by confiscation and replaced by strangers, who occupied the soil, introducing the harsh customs of Northern feudalism, or the despotic principles of the Roman law, in the extensive domains acquired by the crown. A people of rare natural gifts had been tortured, decimated, humiliated, despoiled, for a century and more. The precocious civilization which had promised to lead Europe in the path of culture was gone, and to Italy was transferred the honor of the Renaissance. In return for this was unity of faith and a Church which had been hardened and vitiated and secularized in the strife. Such was the work and such the outcome of the Inquisition in the field which afforded it the widest scope for its activity, and the fullest opportunity for developing its powers.

Yet in the very triumph of the Inquisition was the assurance of its decline. Supported by the State, it had earned and repaid the royal favor by the endless stream of confiscations which it poured into the royal coffers. Perhaps nothing contributed more to the consolidation of the royal supremacy than the change of ownership which threw into new hands so large a portion of the lands of the South. In the territories of the great vassals the right to the confiscations for heresy became recognized as an important portion of the *droits seigneuriaux*. In the domains of the crown they were granted to favorites or sold at moderate prices to those who thus became interested in the new order of things. The royal officials grasped everything on which they could lay their hands, whether on the excuse of treason or of heresy, with little regard to any rights; and although the integrity of Louis IX. caused an inquest to be held in 1262 which restored a vast amount

of property illegally held, this was but a small fraction of the whole. To assist his Parlement in settling the innumerable cases which arose, he ordered, in 1260, the charters and letters of greatest importance to be sent to Paris. Those of each of the six senechaussées filled a coffer, and the six coffers were deposited in the treasury of the Sainte-Chapelle. In this process of absorption the case of the extensive Viscounty of Fenouillèdes may be taken as an illustration of the zeal with which the Inquisition co-operated in securing the political results desired by the crown. Fenouillèdes had been seized during the crusades and given to Nuñez Sancho of Roussillon, from whom it passed, through the King of Aragon, into the hands of St. Louis. In 1264 Beatrix, widow of Hugues, son of the former Viscount Pierre, applied to the Parlement for her rights and dower and those of her children. Immediately the inquisitor, Pons de Poyet, commenced a prosecution against the memory of Pierre, who had died more than twenty years previously in the bosom of the Church, and had been buried with the Templars of Mas Deu, after assuming the religious habit and receiving the last sacraments. He was condemned for having held relations with heretics, his bones were dug up and burned, and the Parlement rejected the claim of the daughter-in-law and grandchildren. Pierre, the eldest of these, in 1300, made a claim for the ancestral estates, and Boniface VIII. espoused his quarrel with the object of giving trouble to Philippe le Bel; but, though the affair was pursued for some years, the inquisitorial sentence held good. It was not only the actual heretics and their descendants who were dispossessed. The land had been so deeply tinctured with heresy that there were few indeed whose ancestors could not be shown, by the records of the Inquisition, to have incurred the fatal taint of associating with them.*

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* Vaissette, III. 362, 496; IV. 104-5, 211.—Archives de l'Évêché de Béziers (Doat, XXXI. 35). — Beugnot, Les Olim I. 1029-30. — Les Olim I. 580. — Coll. Doat, XXXIII. 1.

The extent of the change of the proprietorship is well illustrated by a list of the lands and rents confiscated for heresy to the profit of Philippe de Montfort from his vassals. It embraces fiefs and other properties in Lautrec, Montredon, Senegats, Rabastain, and Lavaur. The knights and gentlemen and peasants thus stripped are all named, with their offences—one died a heretic, another was hereticated on his death-bed, a third was condemned for heresy, and a fourth

The rich bourgeoisie of the cities were ruined in the same way. Some inventories have been preserved of the goods and chattels sequestrated when the arrests were made at Albi in 1299 and 1300, which show how thoroughly everything was swept into the maelstrom. That of Raymond Calverie, a notary, gives us every detail of the plenishing of a well-to-do burgher's house—every pillow, sheet, and coverlet is enumerated, every article of kitchen gear, the salted provisions and grain, even his wife's little trinkets. His farm or bastide was subjected to the same minuteness of seizure. Then we have a similar insight into the stock and goods of Jean Baudier, a rich merchant. Every fragment of stuff is duly measured—cloths of Ghent, Ypres, Amiens, Cambray, St. Omer, Rouen, Montcornet, etc., with their valuation—pieces of miniver, and other articles of trade. His town house and farm were inventoried with the same conscientious care. It is easy to see how prosperous cities were reduced to poverty, how industry languished, and how the independence of the municipalities was broken into subjection in the awful uncertainty which hung over the head of every man.*

In this respect the Inquisition was building better than it knew. In thus aiding to establish the royal power over the newly-acquired provinces, it was contributing to erect an authority which was destined in the end to reduce it to comparative insignificance. With the disappearance of Catharism, Languedoc became as much a part of the monarchy as l'Isle de France, and the career of its Inquisition merges into that of the rest of the kingdom. It need not, therefore, be pursued separately further.

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was burned at Lavaur, while in other cases the mother, or the father, or both were heretics (Doat, XXXII. 258–63).

Many examples of donations and sales are preserved in the Doat collection. I may instance T. XXXI. fol. 171, 237, 255; T. XXXII. fol. 46, 53, 55, 57, 64, 67, 69, 244, etc.

In the possessions of the English crown in Aquitaine the same process was going on, though in a minor degree (Rymer, Fœdera, III. 408).

* Coll. Doat, XXXII. 309, 316.

CHAPTER II.

FRANCE.

Although Catharism never obtained in the North sufficient foothold to render it threatening to the Church, yet the crusades and the efforts which followed the pacification of 1229 must have driven many heretics to seek refuge in places where they might escape suspicion. In organizing persecution in the South, therefore, it was necessary to provide some supervision more watchful than episcopal negligence was likely to supply, over the regions whither heretics might fly when pursued at home, or the efforts made in Languedoc would only be scattering the infection. Vigilant guardians of the faith were consequently requisite in lands where heretics were few and hidden, as well as in those where they were numerous and enjoyed protection from noble and city. Under the pious king, St. Louis, who declared that the only argument a layman could use with a heretic was to thrust a sword into him up to the hilt, they were sure of ample support from the secular power.*

Accordingly when, in 1233, the experiment was tried of appointing Pierre Cella and Guillem Arnaud as inquisitors in Toulouse, a similar tentative effort was made in the northern part of the kingdom. Here also it was the Dominican Order which was called upon to furnish the necessary zealots. I have already alluded to the failure of the attempt to induce the Friars of Franche-Comté to undertake the work. In western Burgundy, however, the Church was more fortunate in finding a proper instrument. Like Rainerio Saccone, Frère Robert, known as *le Bugre*, had been a Patarin. The peculiar fitness thence derived for detecting the hidden heretic was rendered still more effective by the special gift which he is said to have claimed, of being able to recognize

* Joinville, P. I. (Ed. 1785, p. 23).

them by their speech and carriage. In addition, he was fitted for the work by the ardent fanaticism of the convert, by his learning, his fiery eloquence, and his mercilessness. When, early in 1233, instructions to persecute heresy were sent to the Prior of Besançon, Robert was nominated to represent him and act as his substitute; and, eager to manifest his zeal, he lost no time in making a descent upon La Charité. It will be remembered that this place was notorious as a centre of heresy in the twelfth century, and that repeated efforts had been made to purify it. These had proved fruitless against the stubbornness of the misbelievers, and Frère Robert found Stephen, the Cluniac prior, vainly endeavoring to win or force them over. The new inquisitor seems to have been armed with no special powers, but his energy speedily made a profound impression, and heretics came forward and confessed their errors in crowds, husbands and wives, parents and children, accusing themselves and each other without reserve. He reported to Gregory IX. that the reality was far worse than had been rumored; that the whole town was a stinking nest of heretical wickedness, where the Catholic faith was almost wholly set aside and the people in their secret conventicles had thrown off its yoke. Under a specious appearance of piety they deceived the wisest, and their earnest missionary efforts, extending over the whole of France, were seducing souls from Flanders to Britanny. Uncertain as to his authority, he applied to Gregory for instructions and was told to act energetically in conjunction with the bishops, and, under the statutes recently issued by the Holy See, to extirpate heresy thoroughly from the whole region, invoking the aid of the secular arm, and coercing it if necessary with the censures of the Church.*

We have no means of knowing what measures Robert adopted, but there can be no doubt that under this stimulus, and clothed with this authority, he was active and unsparing. His crazy fanaticism probably exaggerated greatly the extent of the evil and confounded the innocent with the guilty. It was not long before the Archbishop of Sens, in whose province La Charité lay, expostulated with Gregory upon this interference with his jurisdiction, and in this he was joined by other prelates, alarmed at the au-

* Alberic. Trium Font. Chron. ann. 1236.—Gregor. PP. IX. Bull. *Gaudemus*, 19 Ap. 1233 (Ripoll I. 45-6).—Raynald. ann. 1233, No. 59.

thority given to the Dominican Provincial of Paris to appoint inquisitors for all portions of the kingdom. They assured the pope that there was no heresy in their provinces and no necessity for these extraordinary measures. Gregory thereupon revoked all commissions early in February, 1234, and urged the prelates to be vigilant, recommending them to make use of Dominicans in all cases where action appeared desirable, as the friars were specially skilled in the refutation of heresy. Had Robert been an ordinary man this might have postponed for some time the extension of the Inquisition in France, but he was too ardent to be repressed. In June, 1234, we find St. Louis paying for the maintenance of heretics in prison at St. Pierre-le-Moutier, near Nevers, which would seem as though Frère Robert had succeeded in getting to work again on his old field of operations. Meanwhile he had not been idle elsewhere. King Louis furnished him with an armed guard to protect him from the enmities which he aroused, and, secure in the royal favor, he traversed the country carrying terror everywhere. At Péronne he burned five victims; at Houdancourt, four, besides a pregnant woman who was spared for a time at the intercession of the queen. His methods were speedy, for before Lent was out we find him at Cambrai, where, with the assistance of the Archbishop of Reims and three bishops, he burned about twenty and condemned others to crosses and prison. Thence he hastened to Douai, where, in May, he had the satisfaction of burning ten more, and condemning numerous others to crosses and prison in the presence of the Count of Flanders, the Archbishop of Reims, sundry bishops and an immense multitude who crowded to the spectacle. Thence he hurried to Lille, where more executions followed. All this was sufficient to convince Gregory that he had been misinformed as to the absence of heresy. Undisturbed by the severe experience which he had just undergone with a similar apostle of persecution, Conrad of Marburg, we find him, in August, 1235, excitedly announcing to the Dominican provincial that God had revealed to him that the whole of France was boiling with the venom of heretical reptiles, and that the business of the Inquisition must be resumed with loosened rein. Frère Robert was to be commissioned again, with fitting colleagues to scour the whole kingdom, aided by the prelates, so that innocence should not suffer nor guilt escape. The Archbishop of Sens was strictly ordered to lend effi-

cient help to Robert, whom God had gifted with especial grace in these matters, and Robert himself was honored with a special papal commission empowering him to act throughout the whole of France. The pope, moreover, spurred him on with exhortations to spare no labor in the work, and not to shrink from martyrdom if necessary for the salvation of souls.*

This was pouring oil upon the flames. Robert's untempered fanaticism had required no stimulus, and now it raged beyond all bounds. The kingdom, by Gregory's thoughtless zeal, was delivered up to one who was little better than a madman. Supported by the piety of St. Louis, the prelates were obliged to aid him and carry out his behests, and for several years he traversed the provinces of Flanders, Champagne, Burgundy, and France with none to curb or oppose him. The crazy ardor of such a man was not likely to be discriminating or to require much proof of guilt. Those whom he designated as heretics had the alternative of abjuration with perpetual imprisonment or of the stake—varied occasionally with burial alive. In one term of two or three months he is said to have thus despatched about fifty unfortunates of either sex, and the whole number of his victims during his unchecked career of several years must have been large. The terror spread by his arbitrary and pitiless proceedings rendered him formidable to high and low alike, until at length the evident confounding of the innocent with the guilty raised a clamor to which even Gregory IX. was forced to listen. An investigation was held in 1238 which exposed his misdeeds, though not before he had time, in 1239, to burn a number of heretics at Montmorillon in Vienne, and twenty-seven, or, according to other accounts, one hundred and eighty-three, at Mont-Wimer—the original seat of Catharism in the eleventh century—where, at this holocaust pleasing to God, there were present the King of Navarre with a crowd of prelates and nobles and a multitude wildly estimated at seven hundred thousand souls. Robert's commission was withdrawn, and he expiated his insane cruelties in perpetual prison. The case ought to have proved, like

* Greg. PP. IX. Bull. *Olim*, 4 Feb. 1234; Ejusd. Bull. *Dudum*, 21 Aug. 1235; Ejusd. Bull. *Quo inter cæteras*, 22 Aug. 1235; Ejusd. Bull. *Dudum*, 23 Aug. 1235 (Ripoll I. 80-1).—Potthast No. 9386.—Chron. breve Lobiens. ann. 1235 (Martene Thes. III. 1427).—D. Bouquet, XXII. 570.—Chron. Rimée de Philippe Mousket, v. 28871-29025.—Alberic. Trium Font. ann. 1235.

that of Conrad of Marburg, a wholesome warning. Unfortunately the spirit which he had aroused survived him, and for three or four years after his fall active persecution raged from the Rhine to the Loire, under the belief that the land was full of heretics.*

The unlucky termination of Robert's career did not affect his colleagues, and thenceforth the Inquisition was permanently established throughout France in Dominican hands. The prelates at first were stimulated to some show of rivalry in the performance of their neglected duties. Thus the provincial council of Tours, in 1239, endeavored to revive the forgotten system of synodal witnesses. Every bishop was instructed to appoint in each parish three clerks—or, if such could not be had, three laymen worthy of trust—who were to be sworn to reveal to the officials all ecclesiastical offences, especially those concerning the faith. Such devices, however, were too cumbrous and obsolete to be of any avail against a crime so sedulously and so easily concealed as heresy, even if the prelates had been zealous and earnest persecutors. The Dominicans remained undisputed masters of the field, always on the alert, travelling from place to place, scrutinizing and questioning, searching the truth and dragging it from unwilling hearts. Yet scarce a trace of their strenuous labors has been left to us. Heretics throughout the North were comparatively few and scattered; the chroniclers of the period take no note of their discovery and punishment, nor even of the establishment of the Inquisition itself. That a few friars should be deputed to the duty of hunting heretics was too unimpressive a fact to be worthy of record. We know, however, that the pious King Louis welcomed them in his old hereditary dominions, as he did in the newly-acquired territories of Languedoc, and stimulated their zeal by defraying their expenses. In the accounts of the royal baillis for 1248 we find en-

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* Chron. S. Medardi Suessionens. (D'Achery, II. 491).—Conc. Trevirens. ann. 1238, c. 31 (Martene Ampl. Coll. VII. 130).—Wadding. Annal. ann. 1236, No. 3.—Meyeri Annal. Flandrens. Lib. VIII. ann. 1236.—Raynald. ann. 1238, No. 52.—Matt. Paris ann. 1236, 1238, pp. 293, 326 (Ed. 1644).—Chron. Gaufridi de Collone ann. 1239 (Bouquet, XXII. 3).—Alberic. Trium Font. Chron. ann. 1239.—Chron. Rimée de Phil. de Mousket, v. 30525–34.

Frère Bremond endeavors to clear Robert's fame from the accusations brought against him by Matthew Paris, and states that he died in the convent of St. Jacques in Paris in 1235.

tries of sums disbursed for them in Paris, Orleans, Issoudun, Senlis, Amiens, Tours, Yèvre-le-Chatel, Beaumont, St. Quentin, Laon, and Macon, showing that his liberality furnished them with means to do their work, not only in the domains of the crown, but in those of the great vassals; and these items further illustrate their activity in every corner of the land. That their sharp pursuit rendered heresy unsafe is seen in the permission already alluded to, in 1255, to pursue their quarry across the border into the territories of Alphonse of Toulouse, thus disregarding the limitations of inquisitorial districts.*

This shows us that already the Inquisition was becoming organized in a systematic manner. In Provence, where Pons de l'Esparre, the Dominican prior, had at first carried on a kind of volunteer chase after heretics, we see an inquisitor officially acting in 1245. This district, comprising the whole southeastern portion of modern France, with Savoy, was confided to the Franciscans. In 1266, when they were engaged in Marseilles in mortal strife with the Dominicans, the business of persecution would seem to have been neglected, for we find Clement IV. ordering the Benedictines of St. Victor to make provision for extirpating the numerous heretics of the valley of Rousset, where they had a dependency. The Inquisition of Provence was extended in 1288 over Avignon and the Comtat Venaissin, whose governor was ordered to defray from the confiscations the moderate expenses of the inquisitors, Bertrand de Cigotier and Guillem de Saint-Marcel. In 1292 Dauphiné was likewise included, thus completing the organization in the territories east of the Rhone. The attention of the inquisitors was specially called to the superstition which led many Christians to frequent the Jewish synagogues with lighted candles, offering oblations and watching through the vigils of the Sabbath, when afflicted with sickness or other tribulations, anxious for friends at sea or for approaching childbirth. All such observances, even in Jews, were idolatry and heresy, and those who practised them were to be duly prosecuted.†

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* Concil. Turonens. ann. 1239, c. 1.—D. Bouquet, XXI. 262, 264, 268, 273, 274, 276, 280, 281.—Ripoll I. 273–4.

† Coll. Doat, XXXI. 68.—Martene Coll. Ampl. I. 1284.—Wadding. Annal. ann. 1288, No. 14, 15; ann. 1290, No. 3, 5, 6; ann. 1292, No. 3.

With this exception the whole of France was confided to the Dominicans. In 1253 a bull of Innocent IV. renders the Provincial of Paris supreme over the rest of the kingdom, including the territories of Alphonse of Toulouse. Numerous bulls follow during the next few years which speak of the growth of heresy requiring increased efforts for its suppression and of the solicitude of King Louis that the Inquisition should be effective. Elaborate instructions are sent for its management, and various changes are made and unmade in a manner to show that a watchful eye was kept on the institution in France, and that there was a constant effort to render it as efficient as possible. By a papal brief of 1255 we see that at that time the Inquisition of Languedoc was independent of the Paris provincial; in 1257 it is again under his authority; in 1261 it is once more removed, and in 1264 it is restored to him—a provision which became final, rendering him in some sort a grand-inquisitor for the whole of France. In 1255 the Franciscan provincial was adjoined to the Dominican, thus dividing the functions between the two Orders; but this arrangement, as might be expected, does not seem to have worked well, and in 1256 we find the power again concentrated in the hands of the Dominicans. The number of inquisitors to be appointed was always strictly limited by the popes, and it varied with the apparent exigencies of the times and also with the extent of territory. In 1256 only two are specified; in 1258 this is pronounced insufficient for so extensive a region, and the provincial is empowered to appoint four more. In 1261, when Languedoc was withdrawn, the number is reduced to two; in 1266 it is increased to four, exclusive of Languedoc and Provence, to whom in 1267 associates were adjoined, and in 1273 the number was made six, including Languedoc, but excluding Provence. This seems to have been the final organization, but it does not appear that the Northern kingdom was divided into districts, strictly delimitated as those of the South.*

The Inquisition at Besançon appears to have been at first in-

* Arch. de l'Inq. de Carc. (Doat. XXXI. 90; XXXII. 41).—Wadding. Annal. ann. 1255, No. 14.—Raynald. ann. 1255, No. 33.—Arch. Nat. de France, J. 431, No. 30, 31, 34, 35, 36.—Ripoll I. 273-4, 291, 362, 472, 512; II. 29.—MSS. Bib. Nat., fonds latin, No. 14930, fol. 226.—Martene Thesaur. V. 1814, 1817.

dependent of that of Paris. After the failure to establish it in 1233 it seems to have remained in abeyance until 1247, when Innocent IV. ordered the Prior of Besançon to send friars throughout Burgundy and Lorraine for the extirpation of heresy. The next year John Count of Burgundy urged greater activity, but his zeal does not seem to have been supplemented with liberality, and in 1255 the Dominicans asked to be relieved of the thankless task, which proved unsuccessful for lack of funds, and Alexander IV. acceded to their request. There are some evidences of an Inquisition being in operation there about 1283, and in 1290 Nicholas IV. ordered the Provincial of Paris to select three inquisitors to serve in the dioceses of Besançon, Geneva, Lausanne, Sion, Metz, Toul, and Verdun, thus placing Lorraine and the French Cantons of Switzerland, as well as Franche Comté, under the Inquisition of France, an arrangement which seems to have lasted for more than a century.*

Little remains to us of the organization thus perfected over the wide territory stretching from the Bay of Biscay to the Rhine. The laborers were vigorous, and labored according to the light which was in them, but the men and their acts are buried beneath the dust of the forgotten past. That they did their duty is visible in the fact that heresy makes so little figure in France, and that the slow but remorseless extermination of Catharism in Languedoc was not accompanied by its perpetuation in the North. We hear constantly of refugees from Toulouse and Carcassonne flying for safety to Lombardy and even to Sicily, but never to Touraine or Champagne, nor do we ever meet with cases in which the earnest missionaries of Catharism sought converts beyond the Cevennes. This may fairly be ascribed to the vigilance of the inquisitors, who were ever on the watch. Chance has preserved for us as models in a book of formulas some documents issued by Frère Simon Duval, in 1277 and 1278, which afford us a momentary glimpse at his proceedings and enable us to estimate the activity requisite for the functions of his office. He styles himself inquisitor "*in regno Franciæ*," which indicates that his commission extended throughout the kingdom north of Languedoc, and

* Ripoll I. 179, 183; II. 29.—Potthast No. 15995.—Lib. Sentt. Inq. Tolos. pp. 252–4.

he speaks of himself as acting in virtue of the apostolical authority and royal power, showing that Philippe le Hardi had dutifully commissioned him to summon the whole forces of the State to his assistance when requisite. November 23, 1277, he gives public notice that two canons of Liège, Suger de Verbanque and Berner de Niville, had fled on being suspected of heresy, and he cites them to appear for trial at St. Quentin in Vermandois on the 23d of the ensuing January. This trial was apparently postponed, for on January 21, 1278, we find him summoning the people and clergy of Caen to attend his sermon on the 23d. Here he at least found an apostate Jewess who fled, and we have his proclamation calling upon every one to aid Copin, sergeant of the Bailli of Caen, who had been despatched in her pursuit. Frère Duval was apparently making an extended inquest, for July 5 he summons the people and clergy of Orleans to attend his sermon on the 7th. A fortnight later he is back in Normandy and has discovered a nest of heretics near Evreux, for on July 21 we have his citation of thirteen persons from a little village hard by to appear before him. These fragmentary and accidental remains show that his life was a busy one and that his labors were not unfruitful. A letter of the young Philippe le Bel, in February, 1285, to his officials in Champagne and Brie, ordering them to lend all aid to the inquisitor Frère Guillaume d'Auxerre, indicates that those provinces were about to undergo a searching examination.*

The inquisitors of France complained that their work was impeded by the universal right of asylum which gave protection to criminals who succeeded in entering a church. No officer of the law dared to follow and make an arrest within the sacred walls, for a violation of this privilege entailed excommunication, removable only after exemplary punishment. Heretics were not slow in availing themselves of the immunity thus mercifully afforded by the Church which they had wronged, and in the jealousy which existed between the secular clergy and the inquisitors there was apparently no effort made to restrict the abuse. Martin IV. was accordingly appealed to, and in 1281 he issued a bull addressed to all the prelates of France, declaring that such perversion of the

* Martene Thesaur. V. 1809, 1811–13.—Arch. de l'Inq. de Carcass. (Doat, XXXII. 127).

right of asylum was no longer to be permitted; that in such cases the inquisitors were to have full opportunity to vindicate the faith, and that so far from being impeded in the performance of their duty, they were to be aided in every way. The special mention in this bull of apostate Jews along with other heretics indicates that this unfortunate class formed a notable portion of the objects of inquisitorial zeal. Several of them, in fact, were burned or otherwise penanced in Paris between 1307 and 1310. *

There was one class of offenders who would have afforded the Inquisition an ample field for its activity, had it been disposed to take cognizance of them. By the canons, any one who had endured excommunication for a year without submission and seeking absolution was pronounced suspect of heresy, and we have seen Boniface VIII., in 1297, directing the inquisitors of Carcassonne to prosecute the authorities of Béziers for this cause. The land was full of such excommunicates, for the shocking abuse of the anathema by priest and prelate for personal interests had indurated the people, and in a countless number of cases absolution was only to be procured by the sacrifice of rights which even faithful sons of the Church were not prepared to make. This growing disregard of the censure was aggravating to the last degree, but the inquisitors do not seem to have been disposed to come forward in aid of the secular clergy, nor did the latter call upon them for assistance. In 1301 the Council of Reims directed that proceedings should be commenced, when it next should meet, against all who had been under excommunication for two years, as being suspect of heresy; and in 1303 it called upon all such to come forward and purge themselves of the suspicion, but the court in which this was to be done was that of the bishops and not of the Inquisition. Mutual jealousy was seemingly too strong to admit of such co-operation.†

In 1308 we hear of a certain Etienne de Verberie of Soissons, accused before the inquisitor of blasphemous expressions concerning the body of Christ. He alleged drunkenness in excuse, and was mercifully treated. Shortly afterwards occurred the first

* Ripoll II. 1.—Guill. Nangiac. Contin. ann. 1307, 1310.

† Martene Ampl. Collect. VII. 1325–7. Cf. Concil. Trident, Sess. xxv. Decret. Reform. c. 3.

formal *auto de fé* of which we have cognizance at Paris, on May 31, 1310. A renegade Jew was burned, but the principal victim was Marguerite de Hainault, or la Porete. She is described as a "*béguine clergesse*," the first apostle in France of the German sect of Brethren of the Free Spirit, whom we shall consider more fully hereafter. Her chief error was the doctrine that the soul, absorbed in Divine love, could yield without sin or remorse to all the demands of the flesh, and she regarded with insufficient veneration the sacrifice of the altar. She had written a book to propagate these doctrines which had, before the year 1305, been condemned as heretical and burned by Gui II., Bishop of Cambrai. He had mercifully spared her, while forbidding her under pain of the stake from circulating it in future or disseminating its doctrines. In spite of this she had again been brought before Gui's successor, Philippe de Marigny, and the Inquisitor of Lorraine, for spreading it among the simple folk called Begghards, and she had again escaped. Unwearied in her missionary work, she had even ventured to present the forbidden volume to Jean, Bishop of Chalons, without suffering the penalty due to her obstinacy. In 1308 she extended her propaganda to Paris and fell into the hands of Frère Guillaume de Paris, the inquisitor, before whom she persistently refused to take the preliminary oath requisite to her examination. He was probably too preoccupied with the affair of the Templars to give her prompt justice, and for eighteen months she lay in the inquisitorial dungeons under the consequent excommunication. This would alone have sufficed for her conviction as an impenitent heretic, but her previous career rendered her a relapsed heretic. Instead of calling an assembly of experts, as was customary in Languedoc, the inquisitor laid a written statement of the case before the canonists of the University, who unanimously decided, May 30, that if the facts as stated were true, she was a relapsed heretic, to be relaxed to the secular arm. Accordingly, on May 31, she was handed over, with the customary adjuration for mercy, to the prévôt of Paris, who duly burned her the next day, when her noble manifestation of devotion moved the people to tears of compassion. Another actor in the tragedy was a disciple of Marguerite, a clerk of the diocese of Beauvais named Guion de Cressonessart. He had endeavored to save Marguerite from the clutches of the Inquisition, and on being seized had, like her,

refused to take the oath during eighteen months' imprisonment. His brain seems to have turned during his detention, for at length he astonished the inquisitor by proclaiming himself the Angel of Philadelphia and an envoy of God, who alone could save mankind. The inquisitor in vain pointed out that this was a function reserved solely for the pope, and as Guion would not withdraw his claims he was convicted as a heretic. For some reason, however, not specified in the sentence, he was only condemned to degradation from orders and to perpetual imprisonment.*

The next case of which we hear is that of the Sieur de Partenay, in 1323, to which allusion has already been made. Its importance to us lies in its revealing the enormous and almost irresponsible authority wielded by the Inquisition at this period. The most powerful noble of Poitou, when designated as a heretic by Frère Maurice, the Inquisitor of Paris, is at once thrown into the prison of the Temple by the king, and all his estates are sequestrated to await the result. Fortunately for Partenay he had a large circle of influential friends and kindred, among them the Bishop of Noyon, who labored strenuously in his behalf. He was able to appeal to the pope, alleging personal hatred on the part of Frère Maurice; he was sent under guard to Avignon, where his friends succeeded in inducing John XXII. to assign certain bishops as assessors to try the case with the inquisitor, and after infinite delays he was at length set free—probably not without the use of means which greatly diminished his wealth. When such a man could be so handled at the mere word of an angry friar, meaner victims stood little chance.† This case in the North and the close of Bernard Gui's career in Toulouse, about the same time, mark the apogee of the Inquisition in France. Thenceforth we have to follow its decline.

Yet for some years longer there was a show of activity at Carcassonne, where Henri de Chamay was a worthy representative of the older inquisitors. January 16, 1329, in conjunction with Pierre Bruni he celebrated an *auto de fé* at Pamiers, where thirty-five persons were permitted to lay aside crosses, and twelve were re-

* Arch. Nat. de France, J. 428, No. 15, 19 *bis*.—Guillel. Nangiac. Contin. ann. 1308, 1310.—Grandes Chroniques, V. 188.

† Guillel. Nangiac. Contin. ann. 1323.—Grandes Chroniques, V. 273–4.—Chron. Johann. S. Victor. Contin. ann. 1323 (Bouquet, XXI. 681).

leased from prison with crosses, six were pardoned, seven were condemned to perpetual imprisonment, together with four false witnesses, eight had arbitrary penances assigned them, four dead persons were sentenced, and a friar and a priest were degraded. As the see of Pamiers, to which this *auto* was confined, was a small one, the number of sentences uttered indicates active work. December 12, of the same year, Henri de Chamay held another at Narbonne, where the fate of some forty delinquents was decided. Then, January 7, 1329, he held another at Pamiers; May 19, one at Béziers; September 8, one at Carcassonne, where six unfortunates were burned and twenty-one condemned to perpetual prison. Shortly afterwards he burned three at Albi, and towards the end of the year he held another *auto* at a place not named, where eight persons were sentenced to prison, three to prison in chains, and two were burned. Some collisions seem to have occurred about this time with the royal officials, for, in 1334, the inquisitors complained to Philippe de Valois that their functions were impeded, and Philippe issued orders to the seneschals of Nîmes, Toulouse, and Carcassonne that the Inquisition must be maintained in the full enjoyment of its ancient privileges.*

Activity continued for some little time longer, but the records have perished which would supply the details. We happen to have the accounts of the Sénéchaussée of Toulouse, for 1337, which show that Pierre Bruni, the inquisitor, was by no means idle. The receiver of confiscations enumerates the estates of thirty heretics from which collections are in hand; there was an *auto de fé* celebrated and paid for; the number of prisoners in the inquisitorial jail is stated at eighty-two, but as their maintenance during eleven months amounted to the sum of three hundred and sixty-five livres fourteen sols, the average number at three deniers per diem must have been ninety. The terrible vicissitudes of the English war doubtless soon afterwards slackened the energy of the inquisitors, but we know that there were *autos de fé* celebrated at Carcassonne in 1346, 1357, and 1383, and one at Toulouse in 1374. The office of inquisitor continued to be filled, but its functions diminished greatly in importance, as we may guess from the fact that it is related of

* Coll. Doat, XXVII. 119, 132, 140, 146, 156, 178, 192, 198, 232.—Vaissette, IV. Pr. 23.

Pierre de Mercalme, who was Provincial of Toulouse from 1350 to 1363, that during more than two years of this period he also served as inquisitor.*

In the North we hear little of the Inquisition during this period. The English wars, in fact, must have seriously interfered with its activity, but we have an evidence that it was not neglecting its duty in a complaint made by the Provincial of Paris to Clement VI., in 1351, that the practice of excepting the territories of Charles of Anjou from the commissions issued to inquisitors deprived the provinces of Touraine and Maine of the blessings of the institution and allowed heresy to flourish there, whereupon the pope promptly extended the authority of Frère Guillaume Chevalier and of all future inquisitors to those regions.†

With the return of peace under Charles le Sage the Inquisition had freer scope. The Begghards, or Brethren of the Free Spirit, undeterred by the martyrdom of Marguerite la Porete, had continued to exist in secret. In September, 1365, Urban V. notified the prelates and inquisitors throughout France that they were actively at work propagating their doctrines, and he sent detailed information as to their tenets and the places where they were to be found to the Bishop of Paris, with orders to communicate it to his fellow-prelates and the Inquisition. If any immediate response to this was made, the result has not reached us, but in 1372 we find Frère Jacques de More, "*inquisiteur des Bougres*," busy in eradicating them. They called themselves the Company of Poverty, and were popularly known by the name of Turelupins; as in Germany, they were distinguished by their peculiar vestments, and they propagated their doctrines largely by their devotional writings in the vernacular. Charles V. rewarded the labors of the inquisitor with a donation of fifty francs, and received the thanks of Gregory XI. for his zeal. The outcome of the affair was the burning of the books and garments of the heretics in the swine-market beyond the Porte Saint-Honoré, together with the female leader of the sect, Jeanne Daubenton. Her male colleague escaped by death in prison, but his body was preserved in quicklime for fif-

* Vaissette, Ed. Privat, X. Pr. 782-3, 792, 802, 813-14.—Arch. de l'Évêché d'Albi (Doat, XXXV. 120).—Vaissette, IV. 184.—Martene Ampl. Coll. VI. 433.

† Ripoll II. 236.

teen days, in order that he might accompany his partner in guilt in the flames. That such a spectacle was sufficiently infrequent to render it a matter of importance is shown by its being recorded in the doggerel of a contemporary chronicler—

> "L'an MDCCCLXXII. je vous dis tout pour voir
> Furent les Turelupins condannez pour ardoir,
> Pour ce qu'ils desvoient le peuple à decepvoir
> Par feaultes heresies, l'Evesque en soult levoir."

The sect was a stubborn one, however, especially in Germany, as we shall see hereafter, and in the early part of the next century Chancellor Gerson still considers it of sufficient importance to combat its errors repeatedly. Its mystic libertinism was dangerously seducing, and he was especially alarmed by the incredible subtlety with which it was presented in a book written by a woman known as Mary of Valenciennes. In May, 1421, twenty-five of these sectaries were condemned at Douai by the Bishop of Arras. Twenty of them recanted and were penanced with crosses and banishment or imprisonment, but five were stubborn and sealed their faith with martyrdom in the flames.*

In 1381 Frère Jacques de More had a more illustrious victim in Hugues Aubriot. A Burgundian by birth, Aubriot's energy and ability had won for him the confidence of the wise King Charles, who had made him Prévôt of Paris. This office he filled with unprecedented vigor. To him the city owed the first system of sewerage that had been attempted, as well as the Bastille, which he built as a bulwark against the English, and he imposed some limitation on the flourishing industry of the *filles de vie*. His good government gained him the respect and affection of the people, but he made a mortal enemy of the University by disregarding

* Raynald. ann. 1365, No. 17; ann. 1373, No. 19, 21.—Gaguini Hist. Francor. Lib. IX. c. 2. (Ed. 1576, p. 158).—Meyeri Annal. Flandr. Lib. XIII. ann. 1372.—Du Cange s. v. *Turlupini*.—Gersoni de Consolat. Theolog. Lib. IV. Prosa 3; Ejusd. de Mystica Theol. Specul. P. I. Consid. 8; Ejusd. de Distinctione verarum Visionum Signum, 5.—Altmeyer, Précurseurs de la Réforme aux Pays-Bas, I. 85.

Probably there may be some connection between the Turelupins and certain wandering bands known as "*de Pexariacho*" and suspected of heresy. A member of these, named Bidon de Puy-Guillem, of the diocese of Bordeaux, was condemned to perpetual imprisonment, and was liberated by Gregory XI. in 1371 (Coll. Doat, XXXV. 134).

the immunities on the preservation of which, in the previous century, it had staked its existence. In savage mockery of its wrath, when building the Petit-Châtelet, he named two foul dungeons after two of the principal quarters of the University, le Clos Bruneau and la Rue du Foing, saying that they were intended for the students. Under the strong rule of Charles V. the University had to digest its wrongs as best it could, but after his death, in 1380, it eagerly watched its opportunity. This was not long in coming, nor, in the rivalry between the Dukes of Berri and Burgundy, was it difficult to enlist the former against Aubriot as a Burgundian. The rule of the princes, at once feeble and despotic, invited disorder, and when the people, November 25, 1380, rose against the Jews, pillaged their houses, and forcibly baptized their children, Aubriot incurred the implacable enmity of the Church by forcing a restoration of the infants to their parents. The combination against him thus became too strong for the court to resist. It yielded, and on January 21, 1381, he was cited to appear before the bishop and inquisitor. He disdained to obey the summons, and his excommunication for contumacy was published in all the churches of Paris. This compelled obedience, and when he came before the inquisitor, on February 1, he was at once thrown into the episcopal prison while his trial proceeded. The charges were most frivolous, except the affair of the Jewish children and his having released from the Châtelet a prisoner accused of heresy, placed there by the inquisitor. It was alleged that on one occasion one of his sergeants had excused himself for delay by saying that he had waited at church to see God (the elevation of the Host), when Aubriot angrily rejoined, "Sirrah, know ye not that I have more power to harm you than God to help;" and again that when some one had told him that they would see God in a mass celebrated by Silvestre de la Cervelle, Bishop of Coutances, he replied that God would not permit himself to be handled by such a man as the bishop. His enemies were so exasperated that on the strength of this flimsy gossip he was actually condemned to be burned without the privilege allowed to all heretics of saving himself by abjuration; but the princes intervened and succeeded in obtaining this for him. He had no reason to complain of undue delay. On May 17 a solemn *auto de fé* was held. On a scaffold erected in front of Nôtre Dame, Aubriot humbly con-

fessed and recanted the heresies of which he had been convicted, and received the sentence of perpetual imprisonment, which of course carried with it the confiscation of his wealth, while the rejoicing scholars of the University lampooned him in halting verses. He was thence conveyed to a dungeon in the episcopal prison, where he lay until 1382, when the insurrection of the Maillotins occurred. The first thought of the people was of their old prévôt. They broke open the prison, drew him forth and placed him at their head. He accepted the post, but the same night he quietly withdrew and escaped to his native Burgundy, where his adventurous life ended in peaceful obscurity. The story is instructive as showing how efficient an instrument was the Inquisition for the gratification of malice. In fact, its functions as a factor in political strife were of sufficient importance to require more detailed consideration hereafter.*

After this we hear little more of the Inquisition of Paris, although it continued to exist. When, in 1388, the eloquence of Thomas of Apulia drew wondering crowds to listen with veneration to his teaching that the law of the Gospel was simply love, with the deduction that the sacraments, the invocation of saints, and all the inventions of the current theology were useless; when he wrote a book inveighing against the sins of prelate and pope, and asserting, with the Everlasting Gospel, that the reign of the Holy Ghost had supplanted that of the Father and the Son, and when he boldly announced himself as the envoy of the Holy Ghost sent to reform the world, the Inquisition was not called upon to silence even this revolutionary heretic. It was the Prévôt of Paris who ordered him to desist from preaching, and, when he refused, it was the bishop and University who tried him, ordered his book to be burned on the Place de Grève, and would have him burned had not the medical alienists of the day testified to his insanity and procured for him a commutation of his punishment to perpetual imprisonment.†

Various causes had long been contributing to deprive the In-

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* Grandes Chroniques, ann. 1380-1.—Religieux de S. Denis, Hist. de Charles VI. Liv. I. c. 13, liv. II. c. 1.

† Religieux de S. Denis, op. cit. Liv. IV. ch. 13.—D'Argentrê, Collect. Judic. de novis error. I. II. 151.

quisition in France of the importance which it had once enjoyed. It no longer as of old poured into the royal fisc a stream of confiscations and co-operated efficiently in consolidating the monarchy. It had done its work too well, and not only had it become superfluous as an instrument for the throne, but the throne which it had aided to establish had become supreme and had reduced it to subjection. Even in the plenitude of inquisitorial power the tendency to regard the royal court as possessing a jurisdiction higher than that of the Holy Office is shown in the case of Amiel de Lautrec, Abbot of S. Sernin. In 1322 the Viguier of Toulouse accused him to the Inquisition for having preached the doctrine that the soul is mortal in essence and only immortal through grace. The Inquisition examined the matter and decided that this was not heresy. The royal *procureur-général*, dissatisfied with this, appealed from the decision, not to the pope but to the Parlement or royal court. No question more purely spiritual can well be conceived, and yet the Parlement gravely entertained the appeal and asserted its jurisdiction by confirming the decree of the Inquisition.*

This was ominous of the future, although the indefatigable Henri de Chamay, apparently alarmed at the efforts successfully made by Philippe de Valois to control and limit spiritual jurisdictions, procured from that monarch, in November, 1329, a *Mandement* confirming the privileges of the Inquisition, placing all temporal nobles and officials afresh at its disposal, and annulling all letters emanating from the royal court, whether past or future, which should in any way impede inquisitors from performing their functions in accordance with their commissions from the Holy See. The evolution of the monarchy was proceeding too rapidly to be checked. Henri de Chamay himself, in 1328, had officially qualified himself as inquisitor, deputed, not by the pope, as had always been the formula proudly employed, but by the king, and a judicial decision to this effect followed soon after. It was Philippe's settled policy to enforce and extend the jurisdiction of the crown, and in pursuance of this he sent Guillaume de Villars to Toulouse to reform the encroachments of the ecclesiastical tribunals over the royal courts. In 1330 de Villars, in the performance of his duty, caused the registers of the ecclesiastical

* Chron. Bardin, ann. 1322 (Vaissette, IV. Pr. 21–22).

courts to be submitted to him, after which he demanded those of the Inquisition. When we remember how jealously these were guarded, how arrogantly Nicholas d'Abbeville had refused a sight of them to the bishops sent by Philippe le Bel, and how long Jean de Pequigny hesitated before he interfered with Geoffroi d'Ablis, we can measure the extent of the silent revolution which had occurred during the interval in the relations between Church and State, by the fact that de Villars, on being refused, coolly proceeded to break open the door of the chamber in which the registers were kept. The inquisitor appealed, and again it was not to the pope, but to the Parlement, and that body, in condemning de Villars to pay the costs and damages, did so on the ground that the Inquisition was a royal and not an ecclesiastical court. This was a Pyrrhic victory; the State had absorbed the Inquisition. It was the same when, in 1334, Philippe listened to the complaints of the inquisitors that his seneschals disturbed them in their jurisdiction, and gave orders that they should enjoy all their ancient privileges, for these are treated as derived wholly from the royal power. Henceforth the Inquisition could exist only on sufferance, subject to the supervision of the Parlement, while the Captivity of Avignon, followed by the Great Schism, constantly gave to the temporal powers increased authority in spiritual matters.*

How completely the Inquisition was becoming an affair of state is indicated by two incidents. In 1340, when the lieutenant of the king in Languedoc, Louis of Poitou, Count of Die and Valentinois, was making his entry into the good city of Toulouse, he found the gate closed. Dismounting and kneeling bareheaded on a cushion, he took an oath on the Gospels, in the hands of the inquisitor, to preserve the privileges of the Inquisition, and then another oath to the consuls to maintain the liberties of the city. Thus both institutions were on the same footing and required the same illusory guarantee, the very suggestion of which would have been laughed to scorn by Bernard Gui. Again, in 1368, when the royal revenues were depleted by the English wars and the ravages of the Free Companies, and were insufficient to pay the wages of the Inquisitor of Carcassonne, Pierre Scatisse, the royal

* Isambert, Anc. Loix Franç. IV. 364–5.—Coll. Doat, XXVII. 118.—Vaissette, IV. Pr. 23.

treasurer, ordered a levy by the consuls of twenty-six livres tournois to complete the payment. Confiscations had long since ceased to meet the expenditures, but the inquisitor was a royal official and must be paid by the city if not by the state.*

How thorough was the subjection of all ecclesiastical institutions, and how fallen the Inquisition from its high estate, is manifested by an occurrence in 1364, at a moment when the royal authority was at the lowest ebb. King John had died a prisoner in London, April 8, and the young Charles V. was not crowned until May 19, while his kingdom was reduced almost to anarchy by foreign aggression and internal dissensions. Yet, April 16, Marshal Arnaud d'Audeneham, Lieutenant du Roi in Languedoc, convoked at Nîmes an assembly of the Three Estates presided over by the Archbishop of Narbonne. One of the questions discussed was a quarrel between the Archbishop of Toulouse and the inquisitor whom he had prohibited from exercising his functions, saying that the Inquisition had been established at the request of the province of Languedoc, and that now it had become an injury. All the prelates, except Aymeri, Bishop of Viviers, sided with the archbishop, while the representatives of Toulouse asked to be admitted as parties to the suit on the side of the inquisitor. No one seems to have doubted that the marshal, as royal deputy, had full jurisdiction over the matter, and his decision was against the archbishop.†

Even in Carcassonne, where the Dominicans had lorded it so imperiously, all fear of them had disappeared so utterly that in 1354 a sturdy blacksmith named Hugues erected a shop close to the church of the Friars, and carried on his noisy avocation so vigorously as to interrupt their services and interfere with their studies. Remonstrances and threats were of no avail, and they were obliged to appeal, not to the bishop or the inquisitor, but to the king, who graciously sent a peremptory order to his seneschal to remove the smithy or to prevent Hugues from working in it.‡

Towards the end of the century some cases occurring in Reims illustrate how completely the Inquisition was falling into abey-

* Chron. Bardin, ann. 1340, 1368 (Vaissette, IV. Pr. 27, 31).

† Chron. Bardin, ann. 1364 (Vaissette, IV. Pr. 30. Cf. A. Molinier, Éd. Privat. X. 763).

‡ Martene Thesaur. I. 1399.

ance throughout the kingdom, and how the jurisdiction of the royal court of the Parlement was accepted as supreme in spiritual matters. In 1385 there arose a dispute between the magistrates of the city and the archbishop as to jurisdiction over blasphemy, which was claimed by both. This was settled by an agreement recognizing it as belonging to the archbishop, but twenty years later the quarrel broke out afresh over the case of Drouet Largèle, who was guilty of blasphemy savoring of heresy as to the Passion and the Virgin. The matter was appealed to the Parlement, which decided in favor of the archbishop, and no allusion throughout the whole affair occurs as to any claim that the Inquisition might have to interpose, showing that at this time it was practically disregarded. Yet we chance to know that Reims was the seat of an Inquisition, for in 1419 Pierre Florée was inquisitor there, and preached, October 13, the funeral sermon at the obsequies of Jean sans Peur of Burgundy, giving great offence by urging Philippe le Bon not to avenge the murder of his father. We see also the scruples of the Inquisition on the subject of blasphemy in 1423 at Toulouse, where it had become the custom to submit to the inquisitor the names of all successful candidates in municipal elections in order to ascertain whether they were in any way suspect of heresy. Among the capitouls elected in 1423 was a certain François Albert, who was objected to by the acting inquisitor, Frère Bartolomé Guiscard, on account of habitual use of the expletives *Tête-Dieu* and *Ventre-Dieu*, whereupon the citizens substituted Pierre de Sarlat. Albert appealed to the Parlement, which approved of the action of the inquisitor.*

Still more emphatic as to the supreme authority of the Parlement was the case of Marie du Canech of Cambrai, to which I have already had occasion to refer. For maintaining that when under oath she was not bound to tell the truth to the prejudice of her honor, she was prosecuted for heresy by the Bishop of Cambrai and Frère Nicholas de Péronne, styling himself deputy of the inquisitor-general or Provincial of Paris. Being severely mulcted, she appealed to the Archbishop of Reims, as the metropolitan,

* Arch. Administratives de Reims, III. 637–45.—Meyeri Annal. Flandr. Lib. XVI. ann. 1419. — Lafaille, Annales de Toulouse I. 183. — Chron. Bardin, ann. 1423 (Vaissette, IV. Pr. 38).

and he issued inhibitory letters. Then the bishop and inquisitor appealed from the archbishop to the Parlement. The matter was elaborately argued on both sides, the archbishop alleging that there was at that time no inquisitor in France, and drawing a number of subtle distinctions. The Parlement had no hesitation in accepting jurisdiction over this purely spiritual question. It paid no attention to the cautious arguments of the archbishop, but decided broadly that the bishop and inquisitor had no grounds for disobeying the citation of the archbishop evoking the case to his own court, and it condemned them in costs. Thus the ancient supremacy of the episcopal jurisdiction was reasserted over that of the Inquisition.*

The Great Schism, followed by the councils of Constance and Basle, did much to shake the papal power on which that of the Inquisition was founded. The position of Charles VII. towards Rome was consistently insubordinate, and the Pragmatic Sanction which he published in 1438 secured the independence of the Gallican Church, and strengthened the jurisdiction of the Parlement. When Louis XI. abrogated it, in 1461, the remonstrances of his Parlement form a singularly free-spoken indictment of papal vices, and that body continued to treat the instrument as practically in force, while Louis himself, by successive measures of 1463, 1470, 1472, 1474, 1475, and 1479, gradually re-established its principles. Had not the Concordat of Francis I., in 1516, swept it away, when he conspired with Leo X. to divide the spoils of the Church, it would eventually have rendered France independent of Rome. Francis knew so well the opposition which it would excite that he hesitated for a year to submit the measure to his Parlement for registration, and the Parlement deferred the registration for another year, till at last the negotiator of the concordat, Cardinal Duprat, brought to bear sufficient pressure to accomplish the object. During the discussion the University had the boldness to protest publicly against it, and to lodge with the Parlement an appeal to the next general council.†

* Arch. Administratives de Reims, III. 639–43.

† Isambert, Anc. Loix Franç. IX. 3; X. 393, 396–416, 477.—Bochelli Decret. Eccles. Gallican. Lib. IV. Tit. 4, 5.—Bull. de la Soc. de l'Hist. du Protestantisme en France, 1860, p. 121.—D'Argentré Coll. Judic. de novis Error. I. II. 357.—Fascic. Rer. Expetend. et Fugiend. I. 68 (Ed. 1690).

During this period of antagonism to Rome the University of Paris had contributed no little to the abasement of the Inquisition by supplanting it as an investigator of doctrine and judge of heresy. Its ancient renown, fully maintained by an uninterrupted succession of ardent and learned teachers, gave it great authority. It was a national institution of which clergy and laity alike might well be proud, and at one time it appeared as though it might rival the Parlement in growing into one of the recognized powers of the State. In the fearful anarchy which accompanied the insanity of Charles VI. it boldly assumed a right to speak on public affairs, and its interference was welcomed. In 1411 the king, who chanced at the time to be in the hands of the Burgundians, appealed to it to excommunicate the Armagnacs, and the University zealously did so. In 1412 it presented a remonstrance to the king on the subject of the financial disorders of the time and demanded a reform. Supported by the Parisians, at its dictate the financiers

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The feelings with which the abrogation of the Pragmatic Sanction in 1461 was received are well expressed in the "*Pragmaticæ Sanctionis Passio*," Baluz. et Mansi, IV. 29.

Pius II. is singularly candid in his account of the simoniacal transaction through which he purchased the abrogation by giving the cardinal's hat to Jean, Bishop of Arras. The suggestion at first provoked the liveliest remonstrances from the members of the Sacred College, who, through their spokesman, the Cardinal of Avignon, warned Pius that there would be no peace in the Consistory, for the bishop would set them all by the ears, and that his unquiet spirit showed that he must be the offspring of an Incubus. Pius admitted all this, but argued that it was an unfortunate necessity; both Louis XI. and Philippe le Bon had asked for his promotion; unless the request was granted the Pragmatic Sanction would not be abolished, for the fury of the disappointed man would convert him into its supporter, and, as he was learned, he would readily find ample Scriptural warrant to adduce in its favor, which would be decisive, as he was the only man in France who urged the abrogation, and he could readily lead the king to change his mind. These arguments were convincing, and Pius enjoyed the supreme triumph of destroying the last relic of the reforms of Constance and Basle. He paid dearly for it, however, in the annoyances inflicted on him by the new cardinal, whom he describes as a liar and a perjurer, avaricious and ambitious, a glutton and a drunkard, and excessively given to women. He was so irascible that at meals he would frequently throw the silver plates and vessels at the servants, and occasionally would push the whole table over, to the dismay of his guests.—Æn. Sylvii Opp. inedd. (Atti della Accad. dei Lincei, 1883, pp. 531, 546–8).

and thieves of the government, with the exception of the chancellor, were dismissed in 1413, greatly to the discontent of the courtiers, who ridiculed the theologians as bookworms; and in the same year it co-operated with the Parlement in securing momentary peace between the angry factions of the land. The thanks which the heir-apparent, the Duke of Guienne, accompanied by the Dukes of Berri, Burgundy, Bavaria, and Bar, solemnly rendered to the assembled Faculty, virtually recognized it as a part of the State. But when, in 1415, it sent a deputation to remonstrate against the oppression of the people through excessive taxation, the Duke of Guienne, who was angry at the part taken by it, without consulting the court, in degrading John XXIII. at the Council of Constance, curtly told the spokesmen that they were interfering in matters beyond their competence; and when the official orator attempted to reply, the duke had him arrested on the spot and kept in prison for several days.*

Though its temporary ambition to rival the Parlement in state affairs was fortunately not gratified, in theology such a body as this was supreme. It would naturally be called upon, either as a whole or by delegates, to furnish the experts whose counsel was to guide bishop and inquisitor in the decision of cases; and as the old heresies died out and new ones were evolved, every deviation from orthodoxy came to be submitted to it as a matter of course, when its decision was received as final. These were for the most part scholastic subtleties to which I shall recur hereafter, as well as to the great controversies over the Immaculate Conception of the Virgin, and over Nominalism and Realism, in which it took a distinguished part. Sometimes, however, the questions were more practical. When some insolent wretch, in 1432, impudently told Frère Pierre de Voie, the deputy-inquisitor of Evreux, that his citations were simply abuses, the offended functionary, in place of promptly clapping the recalcitrant into prison, plaintively referred the case to the University, and had the satisfaction of receiving a solemn decision that the words were audacious, presumptuous, scandalous, and tending to rebellion (it did not say heretical), and that the utterer was liable to punishment. Ber-

* Juvenal des Ursins, ann. 1411, 1413.—Religieux de S. Denis, Hist. de Charles VI. Liv. XXXII. ch. 14; XXXIII. ch. 1, 15, 16; XXXV. ch. 18.

nard Gui or Nicholas d'Abbeville would have asked for no such warrant.*

To what an extent the University in time replaced the Inquisition in its neglected and forgotten functions is shown in 1498, in the case of the Observantine Franciscan, Jean Vitrier. In the restlessness and insubordination which heralded the Reformation, this obscure friar anticipated Luther even more than did John of Wesel, although in the strictness of his asceticism he taught that a wife might better break her marriage-vow than her fasts. In his preaching at Tournay he counselled the people to drag the concubines and their priests from their houses with shame and derision; he affirmed that it was a mortal sin to listen to the masses of concubinary priests. Pardons and indulgences were the offspring of hell: the faithful ought not to purchase them, for they were not intended for the maintenance of brothels. Even the intercession of the saints was not to be sought. These were old heresies for which any inquisitor would promptly offer the utterer the alternative of abjuration or the stake; but the prelates and magistrates of Tournay referred the matter to the University, which laboriously extracted from Vitrier's sermons sixteen propositions for condemnation.†

Even more significant of the growing authority of the University and the waning power of the Papacy was a decision rendered in 1502. Alexander VI. had levied a tithe on the clergy of France, with the customary excuse of prosecuting the war against the Turks. The clergy, whose consent had not been asked, refused to pay. The pope rejoined by excommunicating them, and they applied to the University to know whether such a papal excommunication was valid, whether it was to be feared, and whether they should consequently abstain from the performance of divine service. On all these points the University replied in the negative, unanimously and without hesitation. Had circumstances permitted the same independence in Germany, a little more progress in this direction would have rendered Luther superfluous.‡

It is not to be supposed, however, that the Inquisition, though fallen from its former dignity, had ceased to exist or to perform

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* D'Argentré, op. cit. I. II. 370.

† Ibid. I. II. 340.

‡ Ibid. I. II. 346.

its functions after a fashion. It was to the interest of the popes to maintain it, and the position of inquisitor, though humble in comparison with that which his predecessors enjoyed, was yet a source of influence, and possibly of profit, which led to its being eagerly sought. In 1414 we find two contestants for the post at Toulouse, and in 1424 an unseemly quarrel between two rivals at Carcassonne. The diocese of Geneva was also the subject of contention embittered by the traditional rivalry between the two Mendicant Orders. It will be remembered that in 1290 this, with other French cantons, was included by Nicholas IV. in the inquisitorial province of Besançon, which was Dominican. Geneva belonged, however, ecclesiastically to the metropolis of Vienne, which was under the Franciscan Inquisition of Provence, and Gregory XI. so treated it in 1375. When Pons Feugeyron was commissioned, in 1409, Geneva was not mentioned in the enumeration of the dioceses under him; but when his commission was renewed by Martin V., in 1418, it was included, and he began to exercise his powers there. There at once arose the threat of a most scandalous quarrel between the combative Orders; the Dominicans appealed to Martin, and in 1419 he restored Geneva to them. Yet in 1434, when Eugenius IV. again confirmed Pons Feugeyron's commission, the name of Geneva once more slipped in. The Dominicans must again have successfully reclaimed it, for in 1472, when there was a sudden resumption of inquisitorial activity under Sixtus IV., in confirming Frère Jean Vaylette as Inquisitor of Provence, with the same powers as Pons Feugeyron, Geneva was omitted in the list of his jurisdictions, while the Dominicans, Victor Rufi and Claude Rufi, were appointed respectively at Geneva and Lausanne; and in 1491 another Dominican, François Granet, was commissioned at Geneva.*

Yet the position thus eagerly sought had no legitimate means of support. In the terrible disorders of the times the royal stipends had been withdrawn. Alexander V., in 1409, instructed his legate, the Cardinal of S. Susanna, that some method must be devised of meeting the expenses of the inquisitor, his associate, his notary, and his servant. He suggests either levying three hundred

* Wadding. ann. 1375, No. 17; 1418, No. 1, 2; 1419, No. 2; 1434, No. 2, 3; 1472, No. 24.—Ripoll II. 522, 566-9, 637, 644; III. 487; IV. 6.

gold florins on the Jews of Avignon; or that each bishop shall defray the cost as the inquisitor moves from one diocese to another; or that each bishop shall contribute ten florins annually out of the legacies for pious uses. Which device was adopted does not appear, but they all seem to have proved fruitless, for in 1418 Martin V. wrote to the Archbishop of Narbonne that he must find some means of supplying the necessary expenses of the Inquisition. Under such circumstances the attraction of the office may, perhaps, be discerned from a petition, in this same year 1418, from the citizens of Avignon in favor of the Jews. The protection afforded by the Avignonese popes to this proscribed class had rendered the city a Jewish centre, and they were found of much utility; but they were constantly molested by the inquisitors, who instituted frivolous prosecutions against them, doubtless not without profit. Martin listened kindly to the appeal, and it proves the degradation of the Inquisition that he gave the Jews a right to appoint an assessor who should sit with the inquisitor in all cases in which they were concerned.*

Still the Inquisition was not wholly without evidence of activity in its purposed sphere of duty. We shall see hereafter that Pierre d'Ailly, Bishop of Cambrai, when, in 1411, he prosecuted the Men of Intelligence, duly called in the inquisitor of the province, who was Dominican Prior of St. Quentin in Vermandois, to join in the sentence. In 1430 we hear of a number of heretics who had been burned at Lille by the deputy-inquisitor and the Bishop of Tournay; and in 1431 Philippe le Bon ordered his officials to execute all sentences pronounced by Brother Heinrich Kaleyser, who had been appointed Inquisitor of Cambrai and Lille by the Dominican Provincial of Germany—a manifest invasion of the rights of his colleague of Paris, doubtless due to the political complications of the times. This order of Philippe le Bon, however, shows that the example of supervision set by the Parlement was not lost on the feudatories, for the officials are only instructed to make arrests when there has been a proper preliminary inquest, with observance of all the forms of law. I shall have occasion hereafter to speak of the part played by the Inquisition in the tragedy of Joan of Arc, and need here only allude to the appoint-

* Wadding. ann. 1409, No. 13; 1418, No. 1, 2, 4.

ment, in 1431, by Eugenius IV., of Frère Jean Gravesan to be Inquisitor of Rouen, where he was already exercising the functions of the office, and where he was succeeded in 1433 by Frère Sébastien l'Abbé, who had been papal penitentiary and chaplain—another evidence of the partition of France during the disastrous English war. People were growing more careless about excommunication than ever. About 1415, a number of ecclesiastics of Limoges were prosecuted by the inquisitor, Jean du Puy, as suspect of heresy for this cause; they appealed to the Council of Constance, and in 1418 the matter was referred back to the archbishop. Still the indifference to excommunication grew, and in 1435 Eugenius IV. instructed the Inquisitor of Carcassonne to prosecute all who remained under the censure of the Church for several years without seeking absolution.*

With the pacification of France and the final expulsion of the English, Nicholas V. seems to have thought the occasion opportune for reviving and establishing the Inquisition on a firmer and broader basis. A bull of August 1, 1451, to Hugues le Noir, Inquisitor of France, defines his jurisdiction as extending not only over the Kingdom of France, but also over the Duchy of Aquitaine and all Gascony and Languedoc. Thus, with the exception of the eastern provinces, the whole was consolidated into one district, with its principal seat probably in Toulouse. The jurisdiction of the inquisitor was likewise extended over all offences that had hitherto been considered doubtful — blasphemy, sacrilege, divination, even when not savoring of heresy, and unnatural crimes. He was further released from the necessity of episcopal co-operation, and was empowered to carry on all proceedings and render judgment without calling the bishops into consultation. Two centuries earlier these enormous powers would have rendered Hugues almost omnipotent, but now it was too late. The Inquisition had sunk beyond resuscitation. In 1458 the Franciscan Minister of Burgundy represented to Pius II. the deplorable condition of the institution in the extensive territories confided to his Order, comprising the great archiepiscopates of Lyons, Vienne, Arles, Aix, Embrun, and Tarantaise, and covering both sides of

* Baluz. et Mansi I. 288–93.—Arch. Gén. de Belgique, Papiers d'État, v. 405.—MSS. Bib. Nat., fonds Moreau, 444, fol. 10.—Ripoll II. 533; III. 6, 8, 21, 193.

the Rhone and a considerable portion of Savoy. In the thirteenth century Clement IV. had placed this region under the control of the Burgundian Minister, but with the lapse of time his supervision had become nominal. Ambitious friars had obtained directly from the popes commissions to act as inquisitors in special districts, and therefore acknowledged no authority but their own. Others had assumed the office without appointment from any one. There was no power to correct their excesses; scandals were numerous, the people were oppressed, and the Order exposed to opprobrium. Pius hastened to put an end to these abuses by renewing the obsolete authority of the minister, with full power of removal, even of those who enjoyed papal commissions.*

The Inquisition was thus reorganized, but its time had passed. To so low an ebb had it fallen that in this same year, 1458, Frère Bérard Tremoux, Inquisitor of Lyons, who had aroused general hostility by the rigor with which he exercised his office, was thrown in prison through the efforts of the citizens, and it required the active interposition of Pius II. and his legate, Cardinal Alano, to effect his release. The venality and corruption of the papal curia, moreover, was so ineradicable that no reform was possible in anything subject to its control. But three years after Pius had placed the whole district under the Minister of Burgundy we find him renewing the old abuses by a special appointment of Brother Bartholomäus of Eger as Inquisitor of Grenoble. That such commissions were sold, or conferred as a matter of favor, there can be no reasonable doubt, and the appointees were turned loose upon their districts to wring what miserable gains they could from the fears of the people. Only this can explain a form of appointment which became common as "inquisitor in the Kingdom of France," "without prejudice to other inquisitors authorized by us or by others" — a sort of letter-of-marque to cruise at large and make what the appointees could from the faithful. Similarly significant is the appointment of Frère Pierre Cordrat, confessor of Jean, Duke of Bourbon, in 1478, to be Inquisitor of Bourges, thus wholly disregarding the consolidation of the kingdom by Nicholas V. It is hardly necessary to extend the list further. Inquisitors were appointed by the popes in constant succession,

* Ripoll III. 301. — Wadding. ann. 1458, No. 12.

either for the kingdom of France or for special districts, as though the institution were at the height of its power and activity. That something was to be gained by all this there can be no question, but there is little risk in assuming that the gainer was not religion.*

Several cases occurring about this period are interesting as illustrations of the spread of the spirit of inquiry and independence, and of the subordinate position to which the Inquisition had sunk. In 1459, at Lille, there was burned a heretic known as Alphonse of Portugal, who led an austere life as an anchorite and frequented the churches assiduously, but who declared that since Gregory the Great there had been no true pope, and consequently no valid administration of the sacraments. In the account which has reached us of his trial and execution there is no allusion to the intervention of the Holy Office. Still more significant is the case, in 1484, of Jean Laillier, a priest in Paris, a theological licentiate, and an applicant for the doctorate in theology. In his sermons he had been singularly free-spoken. He denied the validity of the rule of celibacy; he quoted Wickliff as a great doctor; he rejected the supremacy of Rome and the binding force of tradition and decretal; John XXII., he said, had had no power to condemn Jean de Poilly; so far from St. Francis occupying the vacant throne of Lucifer in heaven, he was rather with Lucifer in hell; since the time of Silvester the Holy See had been the church of avarice and of imperial power, where canonization could be obtained for money. So weak had become the traditional hold of the Church on the consciences of men that this revolutionary preaching seems to have aroused no opposition, even on the part of the Inquisition; but Laillier, not content with simple toleration, applied to the University for the doctorate, and was refused admission to the preliminary disputations unless he should purge himself, undergo penance, and obtain the assent of the Holy See.

* Wadding. ann. 1458, No. 13; 1461, No. 3.—Ripoll III. 317, 423, 487; IV. 103, 217, 303, 304, 356, 373.

A MS. of Bernard Gui's *Practica*, now in the Municipal Library of Toulouse, bears a marginal note that it was lent by the Inquisition of Toulouse, in 1483, to the Dominicans of Bordeaux to be transcribed, thus showing that there was an Inquisition in operation in the latter city of which the members required instruction in their duties (Molinier, L'Inq. dans le midi de la France, p. 201).

Laillier thereupon boldly applied to the Parlement, now by tacit assent clothed with supreme jurisdiction in ecclesiastical matters, asking it to compel the University to admit him. The Parlement entertained no doubts as to its own competence, but decided the case in a manner not looked for by the hardy priest. It ordered Louis, Bishop of Paris, in conjunction with the inquisitor and four doctors selected by the University, to prosecute Laillier to due punishment. The bishop and inquisitor agreed to proceed separately and communicate their processes to each other; but Laillier must have had powerful backers, for Bishop Louis, without conferring with his colleague or the experts, allowed Laillier to make a partial recantation and a public abjuration couched in the most free and easy terms, absolved him, June 23, 1486, pronounced him free from suspicion of heresy, restored him to his functions, and declared him capable of promotion to all grades and honors. Frère Jean Cossart, the inquisitor, who had been diligently collecting evidence of many scandalous doctrines of Laillier's and vainly communicating them to the bishop, was forced to swallow this affront in silence, but the University felt its honor engaged and was not inclined to submit. November 6, 1486, it issued a formal protest against the action of the bishop, appealed to the pope, and demanded "Apostoli." Innocent VIII. promptly came to the rescue. He annulled the decision of the bishop and ordered the inquisitor, in conjunction with the Archbishop of Sens and the Bishop of Meaux, to throw Laillier into prison, while they should investigate the unrecanted heresies and send the papers to Rome for decision. Very suggestive of the strong influences supporting Laillier is the pope's expression of fear lest the pressure brought to bear on the University should have forced it to admit him to the doctorate; if so, such action is pronounced void, and all engaged in the attempt are ordered to desist under pain of incurring suspicion of heresy. It is not a little singular that the Bishop of Meaux, who was thus selected to sit in judgment on Laillier, was at this very time under censure by the University for reviving the Donatist heresy of the insufficiency of the sacraments in polluted hands—the Eucharist of a fornicating priest was of no more account, he said, than the barking of a dog. Many an unfortunate Waldensian had been burned for less than this, but the inquisitor had not dared to hold him to account. Nor do we hear

of his intervention in the case of Jean Langlois, priest of St. Crispin, who, when celebrating mass, June 3, 1491, horrified his flock by casting on the floor and trampling the consecrated wine and host. On his arrest he gave as his reason that the body and blood of Christ were not in the elements, and as he stubbornly refused to recant, he expiated his error at the stake. Similar was the fate of Aymon Picard, who, at the feast of St. Louis in the Sainte-Chapelle, August 25, 1503, snatched the host from the celebrant and cast it in pieces on the floor, and obstinately declined to abjure. All this was significant of the time coming when the Inquisition would be more necessary than ever.*

The present degradation which it shared with the rest of the Church in the constantly growing supremacy of the State is manifested by a commission issued in 1485, by Frère Antoine de Clède, appointing a vicar to act for him in Rodez and Vabres. In this document he styles himself Inquisitor of France, Aquitaine, Gascony, and Languedoc, deputed by the Holy See and the Parlement. The two bodies are thus equal sources of authority, and the appointment by the pope would have been insufficient without the confirmation by the royal court. How contemptible, indeed, the Inquisition had become, even in the eyes of ecclesiastics, is brought instructively before us in a petty quarrel between the Inquisitor Raymond Gozin and his Dominican brethren. When he succeeded Frère Gaillard de la Roche, somewhere about 1516, he found that the house of the Inquisition at Toulouse had been stripped of its furniture and utensils by the friars of the Dominican convent. He made a reclamation, and some of the articles were restored; but the friars subsequently demanded them back, and on his refusal procured from the General Master instructions to the vicar, under which the latter proceeded to extremities with him, wholly disregarding his appeal to the pope, though he finally, in 1520, succeeded in obtaining the intervention of Leo X. Imagination could scarcely furnish a more convincing proof of decadence than this exhibition of the successor of Bernard de Caux and Bernard Gui vainly endeavoring to defend his kitchen gear from the rapacious hands of his brethren.†

* Mémoires de Jacques du Clercq, Liv. III. ch. 43.—D'Argentré, op. cit. I. II. 308–18, 319–20, 323, 347.

† Bremond, *ap.* Ripoll IV. 373.—Ripoll IV. 390.

It is quite probable that this dispute was envenomed by the inevitable jealousy between the main body of the Order and its puritan section known as the Reformed Congregation. Of this latter Raymond Gozin was vicar-general, and his anxiety to regain his furnishings was probably due to the fact that he was altering the house of the Inquisition so as to accommodate within it a Reformed convent. The vast buildings which it had required in the plenitude of its power had become a world too wide for its shrunken needs. The original home of the Dominican Order, before the removal in 1230 through the liberality of Pons de Capdenier, it contained a church with three altars, a refectory, cells (or prison), chambers, guest-rooms, cloisters, and two gardens. In approving of the proposed alterations, Leo X. stipulated that some kind of retiring-room with convenient offices must still be reserved for the use of the Inquisition. This epitomizes the history of the institution. Yet it had by no means wholly lost its power of evil, for in 1521 Johann Bomm, Dominican Prior of Poligny, and inquisitor at Besançon had the satisfaction of despatching two lycanthropists, or wer-wolves.*

The career of the Waldenses forms so interesting and well-defined an episode in the history of persecution that I have hitherto omitted all reference to that sect, in order to present a brief, continuous outline of its relations with the Inquisition, which found in it, after the disappearance of the Cathari, the only really important field of labor in France.

Although by no means as numerous or as powerful in Languedoc as the Cathari, the Waldenses formed an important heretical element. They were, however, mostly confined to the humbler classes, and we hear of few nobles belonging to the sect. In the sentences of Pierre Cella, rendered in Querci in 1241 and 1242, we have abundant testimony as to their numbers and activity. Thus, references occur to them—

At Gourdon in	55	cases	out	of	219
At Montcucq in	44	"	"	"	84
At Sauveterre in	1	case	"	"	5

* Ripoll IV. 376.—Wieri de Præstig. Dæmon. Lib. VI. c. 11.

At Belcayre in	3	cases	out	of	7
At Montauban in	175	"	"	"	252
At Moissac in	1	case	"	"	94
At Montpezat in	no	"	"	"	22
At Montaut in	no	"	"	"	23
At Castelnau in	1	"	"	"	11

and although many of these are mere allusions to having seen them or had dealings with them, the comparative frequency of the reference indicates the places where their heresy was most flourishing. Thus, Montauban was evidently its headquarters in the district, and at Gourdon and Montcucq there were vigorous colonies.

They had a regular organization—schools for the young where their doctrines were doubtless implanted in the children of orthodox parents; cemeteries where their dead were buried; missionaries who traversed the land diligently to spread the faith, and who customarily refused all alms, save hospitality. A certain Pierre des Vaux is frequently referred to as one of the most active and most beloved of these, regarded, according to one of his disciples, as an angel of light. Public preaching in the streets was constant, and numerous allusions are made to disputations held between the Waldensian ministers and the Catharan perfects. Still, the utmost good feeling existed between the two persecuted sects. Men were found who confessed to believing in the Waldenses and to performing acts of adoration to the Cathari—in the common enmity to Rome any faith which was not orthodox was regarded as good. The reputation of the Waldenses as skilful leeches was a powerful aid in their missionary labors. They were constantly consulted in cases of disease or injury, and almost without exception they refused payment for their ministrations, save food. One woman confessed to giving forty sols to a Catharan for medical services, while to Waldenses she gave only wine and bread. We learn also that they heard confessions and imposed penance; that they celebrated a sacramental supper in which bread and fish were blessed and partaken of, and that bread which they consecrated with the sign of the cross was regarded as holy by their disciples. Notwithstanding the strength and organization of the sect, the Waldenses were evidently looked upon by Pierre Cella with a less

unfavorable eye than the Cathari, and the penances imposed on them were habitually lighter.*

From Lyons the Waldensian belief had spread to the North and East, as well as to the South and West. It is a curious fact that while the Cathari never succeeded in establishing themselves to any extent beyond the Romance territories, the Waldenses were already, in 1192, so numerous in Lorraine that Eudes, Bishop of Toul, in ordering them to be captured and brought to him in chains for judgment, not only promises remission of sins as a reward, but feels obliged to add that if, for rendering this service, the faithful are driven away from their homes, he will find them in food and clothing. In Franche Comté, John, Count of Burgundy, bears emphatic testimony to their numbers in 1248, when he solicited of Innocent IV. the introduction of the Inquisition in his dominions, and its discontinuance in 1257 doubtless left them to multiply in peace. In 1251 we find the Archbishop of Narbonne condemning some female Waldenses to perpetual imprisonment. It was, however, in the mountains of Auvergne and the Alpine and sub-Alpine regions stretching between Geneva and the Mediterranean that they found the surest refuge. While Pierre Cella was penancing those of Querci, the Archbishop of Embrun was busy with their brethren of Freyssinières, Argentière, and Val-Pute, which so long continued to be their strongholds. In 1251, when Alphonse and Jeanne, on their accession, guaranteed at Beaucaire the liberties of Avignon and the Comtat Venaissin, the Bishop-legate Zoen earnestly urged them to destroy the Waldenses there. There were ample laws on the municipal statute-books of Avignon and Arles for the extermination of "heretics and Waldenses," but the local magistracy was slack in their enforcement and was obliged to swear to extirpate the sectaries. The Waldenses were mostly simple mountain folk, with

* Coll. Doat, XXI. 197, 203, 208, 223, 225, 232, 233, 234, 236, 238, 241, 244, 250, 252, 254, 261–2, 263, 264, 265, 266, 267, 269, 270, 271, 275, 276, 281, 282, 289, 296.

It is perhaps worthy of note that Raymond de Péreille, the Castellan of Montségur, and his companions, when on trial, while freely giving evidence about innumerable Cathari, declared that they knew nothing whatever about Waldenses, which would seem to indicate that there was little communication between the sects (Doat, XXII. 217; XXIII. 344; XXIV. 8).

possessions that offered no temptation for confiscation, and persecuting energy was more profitable and more usefully directed against the richer Cathari. We hear, indeed, that from 1271 to 1274 the zeal of Guillaume de Cobardon, Seneschal of Carcassonne, urged the inquisitors to active work against the Waldenses, resulting in numerous convictions, but among the far more populous communities near the Rhone the Inquisition was not introduced into the Comtat Venaissin until 1288, nor into Dauphiné until 1292, and in both cases we are told that it was caused by the alarming spread of heresy. In 1288 the same increase is alluded to in the provinces of Arles, Aix, and Embrun, when Nicholas IV. sent to the nobles and magistrates there the laws of Frederic II., with orders for their enforcement, and to the inquisitors a code of instructions for procedure.*

About the same period there is a curious case of a priest named Jean Philibert, who was sent from Burgundy into Gascony to track a fugitive Waldensian. He followed his quarry as far as Ausch, where he found a numerous community of the sectaries, holding regular assemblies and preaching and performing their rites, although they attended the parish churches to avert suspicion. Their evangelical piety so won upon him that, after going home, he returned to Ausch and formally joined them. He wandered back to Burgundy, where he fell under suspicion, and in 1298 he was brought before Gui de Reims, the Inquisitor of Besançon, when he refused to take an oath and was consigned to prison. Here he abjured, and on being liberated returned to the Waldenses of Gascony, was again arrested, and brought before Bernard Gui in 1311, who finally burned him in 1319 as a relapsed. In 1302 we hear of two Waldensian ministers haunting the region near Castres, in the Albigeois, wandering around by night and zealously propagating their doctrines. Still, in spite of these evidences of activity, little effort at repression is visible at

* Statut. Synod. Odonis Tullensis ann. 1192, c. ix., x. (Martene Thesaur. IV. 1180).—Ripoll I. 183.—Douais, Les sources de l'histoire de l'Inq. (Revue des Questions Historiques, Oct. 1881, p. 434).—Peyrat, Les Alb. et l'Inquis. III. 74.—Chabrand, Vaudois et Protestants des Alpes, Grenoble, 1886, p. 34.—Havet, L'heresie et le bras seculier (Bib. de l'École des Chartes, 1880, p. 585).—Vaissette, IV. 17.—A. Molinier (Vaissette, Éd. Privat, VI. 819).—Wadding. ann. 1288, No. 14–15; 1292, No. 3.—Raynald. ann. 1288, No. 27–8.

this period. The Inquisition was crippled for a while by its contest with Philippe le Bel and Clement V., and when it resumed unrestricted operations, Pierre Autier and his Catharan disciples absorbed its energies. Although the sentences of Bernard Gui at Toulouse commence in 1308, it is not until the *auto de fé* of 1316 that any Waldenses appear among its victims, when one was condemned to perpetual imprisonment and one was burned as an unrepentant heretic. The *auto* of 1319 appears to have been a jail-delivery, for poor wretches appear in it whose confessions date back to 1309, 1311, 1312, and 1315. On this occasion eighteen Waldenses were condemned to pilgrimages with or without crosses, twenty-six to perpetual prison, and three were burned. In the *auto* of 1321 a man and his wife who obstinately refused to abjure were burned. In that of 1322 eight were sentenced to pilgrimages, of whom five had crosses, two to prison, six dead bodies were exhumed and burned, and there is an allusion to the brother of one of the prisoners who had been burned at Avignon. This comprises the whole work of Bernard Gui from 1308 to 1323, and does not indicate any very active persecution. It is perhaps noteworthy that all of those punished in 1319 were from Ausch, while the popular name of "Burgundians," by which the Waldenses were known, indicates that the headquarters of the sect were still in Franche Comté. In fact, an allusion to a certain Jean de Lorraine as a successful missionary indicates that region as busy in proselyting efforts, and there are not wanting facts to prove that the Inquisition of Besançon was active during this period. In the *auto* of 1322 many of the sufferers were refugees from Burgundy, and we learn that they had a provincial named Girard, showing that the Waldensian Church of that region had a regular organization and hierarchy.*

In his "*Practica*" Bernard Gui gives a clear and detailed statement of the Waldensian belief as it existed at this time, the chief points of which may be worth enumerating as affording us a definite view of the development of the faith in its original seat after a century and a half of persecution. There was no longer any self-deceit as to connection with the Roman Church. Perse-

* Lib. Sententt. Inq. Tolos. pp. 200–1, 207–8, 216–43, 252–4, 262–5, 289–90, 340–7, 352, 355, 364–66.—Arch. de l'Inq. de Carcass. (Doat, XXVII. 7 sqq.).

cution had done its work, and the Waldenses were permanently severed. Theirs was the true Church, and that of the pope was but a house of lies, whose excommunication was not to be regarded, and whose decrees were not to be obeyed. They had a complete organization, consisting of bishops, priests, and deacons, and they held in some large city one or two general chapters every year, in which orders were conferred and measures for mission work were perfected. The Waldensian orders, however, did not confer exclusive supernatural power. Although they still believed in transubstantiation, the making of the body and blood of Christ depended on the purity of the ministrant; a sinner was impotent to effect it, while it could be done by any righteous man or woman. It was the same with absolution: they held the power of the keys direct from Christ, and heard confessions and imposed penance. Their antisacerdotalism was strongly expressed in the simplification of their faith. There was no purgatory, and consequently masses for the dead or the invocation of the suffrages of the saints were of no avail; the saints, in fact, neither heard nor helped man, and the miracles performed in their name in the churches were fictitious. The fasts and feasts prescribed in the calendar were not to be observed, and the indulgences so lavishly sold were useless. As of old, oaths and homicide were forbidden. Yet enough of the traditional ascetic tendencies were preserved to lead to the existence of a monastic fraternity whose members divested themselves of all individual property, and promised chastity, with obedience to a superior. Bernard Gui refers, with a brevity which shows how little importance he attached to them, to stories about sexual abominations performed in nocturnal assemblies, and he indicates the growth of popular superstition by a brief allusion to a dog which appears in these gatherings and sprinkles the sectaries with his tail.*

The non-resistance doctrines of the Waldenses rendered them, as a rule, a comparatively easy prey, but human nature sometimes asserted itself, and a sharp persecution carried on at this period by Frère Jacques Bernard, Inquisitor of Provence, provoked a bloody reprisal. In 1321 he sent two deputies — Frères Catalan Fabri and Pierre Paschal—to the diocese of Valence to make in-

* Bernard. Guidon. Practica P. v. (Doat, XXX.).

quisition there. Former raids had left the people in an angry mood. Multitudes had been subjected to the humiliation of crosses, and these and their friends vowed revenge on the appearance of the new persecutors. A plot was rapidly formed to assassinate the inquisitors at a village where they were to pass the night. For some reason, however, they changed their plans, and passed on to the Priory of Montoison. The conspirators followed them, broke down the doors, and slew them. Strangely enough, the Prior of Montoison was accused of complicity in the murder, and was arrested when the murderers were seized. The bodies of the martyrs were solemnly buried in the Franciscan convent at Valence, where they soon began to manifest their sanctity in miracles, and they would have been canonized by John XXII. had not the quarrel which soon afterwards sprang up between him and the Franciscans rendered it impolitic for him to increase the number of Franciscan saints.*

A few Waldenses appear in the prosecutions of Henri de Chamay of Carcassonne in 1328 and 1329, and, from the occasional notices which have reached us in the succeeding years, we may conclude that persecution, more or less fitful, never wholly ceased; while, in spite of this, the heresy kept constantly growing. After the disappearance of Catharism, indeed, it was the only refuge for ordinary humanity when dissatisfied with Rome. The Begghards were mystics whose speculations were attractive only to a certain order of minds. The Spirituals and Fraticelli were Franciscan ascetics. The Waldenses sought only to restore Christianity to its simplicity; their doctrines could be understood by the poor and illiterate, groaning under the burdens of sacerdotalism, and they found constantly wider acceptance among the people, in spite of all the efforts put forth by the waning power of the Inquisition. Benedict XII., in 1335, summoned Humbert II., Dauphin of Viennois, and Adhémar of Poitou to assist the inquisitors. Humbert obeyed, and from 1336 to 1346 there were expeditions sent against them which drove them from their homes and captured some of them. Of these a portion abjured and the rest were burned; their possessions were confiscated and the bones of the dead exhumed. The secular and ecclesiastical officials of Embrun joined in these

* Wadding. ann. 1321, No. 21–4.

efforts, but they had no permanent result. In Languedoc Frère Jean Dumoulin, Inquisitor of Toulouse, in 1344 attacked them vigorously, but only succeeded in scattering them throughout Béarn, Foix, and Aragon. In 1348 Clement VI. again urged Humbert, who responded with strict orders to his officers to aid the ecclesiastical authorities with what force might be necessary, and this time we hear of twelve Waldenses brought to Embrun, and burned on the square in front of the cathedral. When Dauphiné became a possession of the crown the royal officials were equally ready to assist. Letters of October 20, 1351, from the governor, order the authorities of Briançon to give the inquisitor armed support in his operations against the heretics of the Brianconnais, but this seems to have been ineffective; and the next year Clement VI. appealed to the Dauphin Charles, and to Louis and Joanna of Naples, to aid Frère Pierre Dumont, the Inquisitor of Provence, and summoned prelates and magistrates to co-operate in the good work. The only recorded result of this was the penancing of seven Waldenses by Dumont in 1353. More successful were the Christian labors of Guillaume de Bordes, Archbishop of Embrun from 1352 to 1363, surnamed the Apostle of the Waldenses, who tried the unusual expedient of kindness and persuasion. He personally visited the mountain valleys, and had the satisfaction of winning over a number of the heretics. With his death his methods were abandoned, and Urban V., from 1363 to 1365, was earnest in calling upon the civil power and in stimulating the zeal of the Provençal inquisitors, Frères Hugues Cardilion and Jean Richard. The celebrated inquisitor François Borel now appears upon the scene. Armed expeditions were sent into the mountains which had considerable success. Many of the heretics were obstinate and were burned, while others saved their lives by abjuration. Their pitiful little properties were confiscated; one had a cow, another two cows and clothes of white cloth. In the purse of another, more wealthy, were found two florins — a booty which scarce proved profitable, for the wood to burn him and a comrade cost sixty-two sols and six deniers. One woman named Juven who was burned possessed a vineyard. The vintage was gathered and the must stored in her cabin, when the wrathful neighbors fired it at night and destroyed the product.*

* Arch. de l'Inq. de Carcass. (Doat, XXVII. 119 sqq.).—Raynald. ann. 1335,

All this was of no avail. When Gregory XI. ascended the pontifical throne, in 1370, his attention was early directed to the deplorable condition of the Church in Provence, Dauphiné, and the Lyonnais. The whole region was full of Waldenses, and many nobles were now beginning to embrace the heresy. The prelates were powerless or negligent, and the Inquisition ineffective. He set to work vigorously, appointing inquisitors and stimulating their zeal, but the whole system by this time was so discredited that his labors were ineffectual. The royal officials, so far from aiding the inquisitors, had no scruple in impeding them. Unsafe places were assigned to them in which to conduct their operations; they were forced to permit secular judges to act as assessors with them; their proceedings were submitted for revision to the secular courts, and even their prisoners were set at liberty without consulting them. The secular officials refused to take oaths to purge the land of heresy, and openly protected heretics, especially nobles, when prosecutions were commenced against them.*

Gregory duly complained of this to Charles le Sage in 1373, but to little purpose at first. The evil continued unabated, and in 1375 he returned to the charge still more vigorously. No stone was left unturned. Not only was the king requested to send a special deputy to the infected district, but the pope wrote directly to the royal lieutenant, Charles de Banville, reproaching him for his protection of heretics, and threatening him if he did not mend his ways. Certain nobles who had become conspicuous as favorers of heresy were significantly reminded of the fate of Raymond of Toulouse; the prelates were scolded and stimulated; Amedeo of Savoy was summoned to assist, and the Tarantaise was added to the district of Provence that nothing might interfere with the projected campaign. As the spread of heresy was attributable to the lack of preachers, and to the neglect of prelates and clergy in instructing their flocks, the inquisitor was empowered to call in the services of Dominicans, Franciscans, Carmelites, and Augustinians, to spread over the land and teach the people the truths of religion.

No. 63; 1344, No. 9; 1352, No. 20. — Chabrand, op. cit. pp. 36–7. — Wadding. ann. 1352, No. 14, 15; 1363, No. 14, 15; 1364, No. 14, 15; 1365, No. 3.—Lombard, Pierre Valdo et les Vaudois du Briançonnais, Genève, 1880, pp. 17, 20, 23–7.

* Raynald. ann. 1372, No. 34; ann. 1373, No. 19.

These multiplied efforts at length began to tell. Charles issued orders to enforce the laws against heresy, and when Gregory sent a special Apostolic Internuncio, Antonio, Bishop of Massa, to direct operations, persecution began in earnest. Frère François Borel, the Inquisitor of Provence, had long been struggling against the indifference of the prelates and the hostility of the secular power. Now that he was sure of efficient seconding he was like a hound slipped from the leash. His forays against the miserable populations of Freyssinières, l'Argentière, and Val-Pute (or Val-Louise) have conferred on him a sinister reputation, unredeemed by the efficient aid which he contributed to regaining the liberties of his native town of Gap.*

The immediate success which rewarded these efforts was so overwhelming as to bring new cause for solicitude. The Bishop of Massa's mission commenced early in May, 1375, and already, by June 17, Gregory is concerned about the housing and support of the crowds of wretches who had been captured. In spite of numerous burnings of those who proved obstinate, the prisons of the land were insufficient for the detention of the captives, and Gregory at once ordered new and strong ones to be built in Embrun, Avignon, and Vienne. To solve the financial complications which immediately arose, the bishops, whose negligence was accountable for the growth of heresy, were summoned within three months to furnish four thousand gold florins to build the prisons, and eight hundred florins per annum for five years for the support of the prisoners. This they were allowed to take from the legacies for pious uses, and the restitutions of wrongly-acquired funds, with a threat, if they should demur, that they should be deprived of these sources of income and be excommunicated besides. The bishops, however, were no more amenable to such arguments than those of Languedoc had been in 1245, and, after the three months had passed, Gregory answers, October 5, the anxious inquiry of the Bishop of Massa as to how he shall feed his prisoners, by telling him that it is the business of every bishop to support those of his diocese, and that any one who refuses to do so is to be coerced with excommunication and the secular arm. This was a mere *brutum*

* Wadding. ann. 1375, No. 11–19.—D'Argentrê, op. cit. I. i. 394.—Ripoll II. 289.—Raynald. ann. 1375, No. 26.—Gautier, Hist. de la Ville de Gap, p. 39.

fulmen, and in 1376 he endeavored to secure a share in the confiscations, but King Charles refused to divide them, though in 1378 he at last agreed to give the inquisitors a yearly stipend for their own support, similar to that paid to their brethren at Toulouse.*

All other devices being exhausted, Gregory at last had recourse to the unfailing resource of the curia—an indulgence. There is something so appallingly grotesque in tearing honest, industrious folk from their homes by the thousand, in thrusting them into dungeons to rot and starve, and then evading the cost of feeding them by presenting them to the faithful as objects of charity, that the proclamation which Gregory issued August 15, 1376, is perhaps the most shameless monument of a shameless age—

"To all the faithful in Christ: As the help of prisoners is counted among pious works, it befits the piety of the faithful to mercifully assist the incarcerated of all kinds who suffer from poverty. As we learn that our beloved son, the Inquisitor François Borelli, has imprisoned for safe-keeping or punishment many heretics and those defamed for heresy, who in consequence of their poverty cannot be sustained in prison unless the pious liberality of the faithful shall assist them as a work of charity; and as we wish that these prisoners shall not starve, but shall have time for repentance in the said prisons; now, in order that the faithful in Christ may through devotion lend a helping hand, we admonish, ask, and exhort you all, enjoining it on you in remission of your sins, that from the goods which God has given you, you bestow pious alms and grateful charity for the food of these prisoners, so that they may be sustained by your help, and you, through this and other good works inspired by God, may attain eternal blessedness!" †

Imagination refuses to picture the horrors of the economically constructed jails where these unfortunates were crowded to wear out their dreary lives, while their jailers vainly begged for the miserable pittance that should prolong their agonies. Yet so far was Gregory from being satisfied with victims in number far beyond his ability to keep, that, December 28, 1375, he bitterly scolded the officials of Dauphiné for the negligent manner in which they obeyed the king's commands to aid the inquisitors—a complaint which he reiterated May 18, 1376. From some expressions in these letters it is permissible to assume that this whole inhuman

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* Lombard, op. cit. pp. 27–8.—Wadding. ann. 1375, No. 21–3.—Isambert, Anc. Loix Franç. IV. 491.

† Wadding. ann. 1376, No. 3.

business had shocked even the dull sensibilities of that age of violence. Yet in spite of all that had been accomplished the heretics remained obstinate, and in 1377 Gregory indignantly chronicles their increase, while reproaching the inquisitors with their slackness in performing the duties for which they had been appointed.*

What effect on the future of the Waldenses a continuance of Gregory's remorseless energy would have wrought can only be matter of conjecture. He died March 27, 1378, and the Great Schism which speedily followed gave the heretics some relief, during which they continued to increase, although in 1380 Clement VII. renewed the commission of Borel, whose activity was unabated until 1393, and his victims were numbered by the hundred. A good many conversions rewarded his labors, and the converts were allowed to retain their property on payment of a certain sum of money, as shown by a list made out in 1385. In 1393 he is said to have burned a hundred and fifty at Grenoble in a single day. San Vicente Ferrer was a missionary of a different stamp, and his self-devoted labors for several years in the Waldensian valleys won over numerous converts. His memory is still cherished there, and the village of Puy-Saint-Vincent, with a chapel dedicated to him, shows that his kindly ministrations were not altogether lost.†

The Waldenses by this time were substantially the only heretics with whom the Church had to deal outside of Germany. The French version of the *Schwabenspiegel*, or South German municipal code, made for the Romande speaking provinces of the empire, is assignable to the closing years of the century, and it attests the predominance of Waldensianism in its chapter on heresy, by translating the *Käczer* (Catharus) of the original by *vaudois*. Even "Leschandus" (Childeric III.) is said to have been dethroned by Pope Zachary because he was a protector of vaudois. That at this period the Inquisition had become inoperative in those regions where it had once been so busy is proved by the episcopal tribunals being alone referred to as having cognizance of such cases—the

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* Wadding. ann. 1375, No. 24; ann. 1376, No. 2.—Arch. de l'Inq. de Carcass. (Doat, XXXV. 163).

† Perrin's Waldenses, translated by Lennard, London, 1624, Bk. 2 pp. 18, 19.—Leger, Hist. des Églises Vaudoises II. 26.—Chabrand, op. cit. pp. 39, 40.

heretic is to be accused to his bishop, who is to have him examined by experts.*

How completely the Waldenses dropped out of sight in the struggles of the Great Schism is seen in a bull of Alexander VI., in 1409, to Frère Pons Feugeyron, whose enormous district extended from Marseilles to Lyons and from Beaucaire to the Val d'Aosta. This comprehended the whole district which François Borel and Vicente Ferrer found swarming with heretics. The inquisitor is urged to use his utmost endeavors against the schismatic followers of Benedict XIII. and Gregory XII., against the increasing numbers of sorcerers, against apostate Jews and the Talmud, but not a word is said about Waldenses. They seem to have been completely forgotten.†

After the Church had reorganized itself at the Council of Constance it had leisure to look after the interests of the faith, although its energies were mostly monopolized by the Hussite troubles. In 1417 we hear of Catharine Sauve, an anchorite, burned at Montpellier for Waldensian doctrines by the deputy-inquisitor, Frère Raymond Cabasse, assisted by the Bishop of Maguelonne. The absence of persecution had by no means been caused by a diminution in the number of heretics. In 1432 the Council of Bourges complained that the Waldenses of Dauphiné had taxed themselves to send money to the Hussites, whom they recognized as brethren; and there were plenty of them to be found by any one who took the trouble to look after them. On August 23, of this same year, we have a letter from Frère Pierre Fabri, Inquisitor of Embrun, to the Council of Basle, excusing himself for not immediately obeying a summons to attend it on the ground of his indescribable poverty, and of his preoccupations in persecuting the Waldenses. In spite of the great executions which he had already made, he describes them as flourishing as numerously as ever in the valleys of Freyssinières, Argentière, and Pute, which had been almost depopulated by the ferocious raids of François Borel. He now has in his dungeons of Embrun and Briançon six relapsed heretics, who have revealed to him the names of more than five hundred others whom he is about to seize, and whose trials will be a work of time,

* Miroir de Souabe, ch. 89 (Ed. Matile, Neuchatel, 1843).

† Wadding. ann. 1409, No. 12.

but as soon as he can absent himself without prejudice to the faith his first duty will be to attend the council. Evidently the harvest was abundant and the reapers were few.*

In 1441 the Inquisitor of Provence, Jean Voyle, made some effort at persecution, but apparently with little result, and the Waldensian churches seem to have enjoyed a long respite, for the terrible episode of the so-called Vaudois of Arras, in 1460, as we shall see hereafter, was merely a delirium of witchcraft. In France, so completely had the Waldenses monopolized the field of misbelief in the public mind that sorcery became popularly known as *vauderie* and witches as *vaudoises*. Accordingly, when, in 1465, at Lille, five "Poor Men of Lyons" were tried, and four of them recanted and one was burned, it was necessary to find some other name for them, and they were designated as Turelupins.†

It is not until 1475 that we find the inquisitors again at work in their old hunting-ground among the valleys around the headwaters of the Durance. The Waldenses had quietly multiplied again. They held their conventicles undisturbed, they dared openly to preach their abhorred faith, and their missionary zeal was rewarded with abundant conversions. Worse than all, when the bishops and inquisitors sought to repress them in the accustomed manner, they appealed to the royal court, which was so untrue to its duty that it granted them letters of protection and they waxed more insolent than ever. In vain Sixtus IV. sent special commissions armed with full powers to put an end to this disgraceful state of things. Men at this time in France recked little of papal authority, and the commissioners found themselves scorned. Sixtus, therefore, July 1, 1475, addressed an earnest remonstrance to Louis XI. The king was surely ignorant of the acts of his representatives; he would hasten to disavow them and lend the

* Mary-Lafon, Hist. du midi de la France, III. 384.—C. Bituricens. ann. 1432 (Harduin. VIII. 1459).—Martene Ampl. Coll. VII. 161-3.

† Leger, Hist. des Églises vaudoises, II. 24.—Duverger, La Vauderie dans les États de Philippe le Bon, Arras, 1885, p. 112.

Even in the early part of the sixteenth century, Robert Gaguin, in speaking of riding on a broomstick and worshipping Satan, adds "*quod impietatis genus Valdensium esse dicitur*" (Rer. Gallican. Annal. Lib. x. p. 242. Francof. ad M. 1587).

whole power of the State, as of old, to the support of the Inquisition.*

The correspondence which ensued would doubtless be interesting reading if it were accessible. Its purport, however, can readily be discerned in the Ordonnance of May 18, 1478, which marks in the most emphatic manner the supremacy which the State had obtained over the Church. The king assumed that his subjects of Dauphiné were all good Catholics. In a studied tone of contemptuous insolence he alludes to the old Mendicants (*vieux mendiens*) styling themselves inquisitors, who vex the faithful with accusations of heresy and harass them with prosecutions in the royal and ecclesiastical courts for purposes of extortion or to secure the confiscation of their property. He therefore forbids his officers to aid in making such confiscations, decrees that the heirs shall be reinstated in all cases that have occurred, and in order to put a stop to the frauds and abuses of the inquisitors he strictly enjoins that for the future they shall not be permitted to prosecute the inhabitants in any manner.†

Such was the outcome of the efforts which, for two hundred and fifty years, the Church had unremittingly made to obtain despotic control over the human mind. For far less than such defiance it had destroyed Raymond of Toulouse and the civilization of Languedoc. It had built up the monarchy with the spoils of heresy, and now the monarchy cuffed it and bade it bury its Inquisition out of the sight of decent men. This put an end for a time to the labors of the Inquisition against the Waldenses of Dauphiné, but the troubles of the latter were by no means over. The death of Louis, in 1483, deprived them of their protector, and the Italian policy of Charles VIII. rendered him less indifferent to the wishes of the Holy See. At the request of the Archbishop of Embrun, Innocent VIII. ordered the persecutions renewed. The Franciscan Inquisitor, Jean Veyleti, whose excesses had caused the appeal to the throne in 1475, was soon again at work, and had the satisfaction of burning both consuls of Freyssinières. Though the Waldenses had represented themselves to Louis XI. as faithful Catholics, the ancient errors were readily brought to

* Martene Ampl. Collect. II. 1506–7.

† Isambert, Anc. Loix Franç. X. 793–4.

light by the efficient means of torture. Though they believed in transubstantiation, they denied that it could be effected by sinful priests. Their *barbes*, or pastors, were ordained, and administered absolution after confession, but the pope, the bishops, and the priests had lost that power. They denied the existence of purgatory, the utility of prayers for the dead, the intercession of saints, the power of the Virgin, and the obligation of keeping any feast-days save Sunday. Wearied with their stubbornness, the archbishop, in June and July, 1486, summoned them either to leave the country or to come forward and submit, and as they did neither he excommunicated them. This was equally ineffective, and he appealed again to Innocent VIII., who resolved to end the heresy with a decisive blow. Accordingly, in 1488, a crusade on a large scale was organized in both Dauphiné and Savoy. The papal commissioner, Alberto de' Capitanei, obtained the assistance of the Parlement of Grenoble, and a force was raised under the command of Hugues de La Palu, Comte de Vanax, to attack them on every side. The attack was delayed by legal formalities, during which they were urged to submission, but refused, saying that their faith was pure and that they would die rather than abandon it. At length, in March, 1489, the crusaders advanced. The valley of Pragelato was the first assailed, and, after a few days, was reduced to the alternative of death or abjuration, when fifteen obstinate heretics were burned. In Val Cluson and Freyssinières the resistance was more stubborn and there was considerable carnage, which so frightened the inhabitants of Argentière that they submitted peaceably. In Val Louise the people took refuge in the cavern of Aigue Fraide, which they imagined inaccessible, but La Palu succeeded in reaching it, and built fires in the mouth, suffocating the unhappy refugees. This, and the confiscations which followed, divided between Charles VIII. and the Archbishop of Embrun, gave a fatal blow to Waldensianism in the valleys. To prevent its resuscitation the legate left behind him François Ploireri as Inquisitor of Provence, who continued to harass the people with citations and pronounced condemnations for contumacy, burning an occasional *barbe* and confiscating the property of relapsed and hardened heretics.*

* Chabrand, op. cit. pp. 43, 48–52, 70.—Herzog, Die romanischen Waldenser

With a new king, in the person of Louis XII., there came a new phase in the affairs of the Waldenses. A conference was held in Paris before the royal chancellor, where envoys from Freyssinières met Rostain, the new Archbishop of Embrun, and deputies of the Parlement of Grenoble. It was resolved to send to the spot papal and royal commissioners, with power to determine the status of the so-called heretics. They went to Freyssinières and examined witnesses, who satisfied them that the population were good Catholics, in spite of the urgent assertions of the archbishop that they were notorious heretics. All the excommunications were removed, which put an end to the prosecutions. On October 12, 1502, Louis XII. confirmed the decision, and Alexander VI., to whose son, Cæsar Borgia, Louis had given the Duchy of Valentinois, embracing the territory in question, was not disposed to run counter to the royal wishes. The Waldenses were, however, unable to loosen the grip of the Archbishop of Embrun on the property which he had confiscated, in spite of positive orders for its restoration from the king, but at least they were allowed, under the guise of Catholicism, to worship God after their own fashion, until the crowding pressure of the Reformation forced them to a merger with the Calvinists. In the Briançonnais, in spite of occasional burnings, heresy continued to spread until, in 1514, Antoine d'Estaing, Bishop of Angoulême, was sent thither, when the measures he adopted, vigorously enforced by the secular authorities, put an end to it in a few years.*

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pp. 277–82.—D'Argentré I. I. 105.—Leger, Hist. des Églises Vaudoises II. 23–5.—Filippo de Boni, I Calabro-Valdesi p. 71.—Comba, Histoire des Vaudois d'Italie, Paris, 1887, I. 160–66, 169.

The Waldensian legend relates that in the cavern of Aigue-Fraide the number of victims was three thousand, of whom four hundred were children, but I think that M. Chabrand has sufficiently demonstrated its exaggerated improbability (Op. cit. pp. 53–9).

* Herzog, op. cit. pp. 283–5.—Perrin, Hist. Waldens. B. II. ch. 3.—Chabrand, op. cit. pp. 73–4.

CHAPTER III.

THE SPANISH PENINSULA.

THE kingdom of Aragon, stretching across both sides of the Pyrenees, with a population kindred in blood and speech to that of Mediterranean France, was particularly liable to inroads of heresy from the latter. The Counts of Barcelona had been Carlovingian vassals, and even owned a shadowy allegiance to the first Capetians. We have seen how ready were Pedro II. and his successors to aid in resisting Frankish encroachments, even at the cost of encouraging heresy, and it was inevitable that schismatic missions should be established in populous centres such as Barcelona, and that heretics, when hard-pressed, should seek refuge in the mountains of Cerdaña and Urgel. In spite of this, however, heresy never obtained to the west of the Pyrenees the foothold which it enjoyed to the east. Its manifestations there were only spasmodic, and were suppressed with effort comparatively slender.

It is somewhat remarkable that we hear nothing specifically of the Cathari in Aragon proper. Matthew Paris, indeed, tells a wild tale of how, in 1234, they were so numerous in the parts of Spain that they decreed the abrogation of Christianity, and raised a large army with which they burned churches and spared neither age nor sex, until Gregory IX. ordered a crusade against them throughout western Europe, when in a stricken field they were all cut off to a man; but this may safely be set down to the imagination of some pilgrim returning from Compostella and desiring to repay a night's hospitality at St. Alban's. In the enumeration of Rainerio Saccone, about 1250, there is no mention of any Catharan organization west of the Pyrenees. That many Cathari existed in Aragon there can be no doubt, but they are never described as such, and the only heretics of whom we hear by name are *los encabats*—the Insabbatati or Waldenses. It will be remembered that it was against these that the savage edicts of Alonso II.

and Pedro II. were directed, towards the close of the twelfth century.*

After this, for a while, persecution seems to have slept. The sympathies and ambition of King Pedro were enlisted with Raymond of Toulouse, and after his fall at Muret, during the minority of Jayme I., the Aragonese probably awaited the results of the Albigensian war with feelings enlisted in favor of their race rather than of orthodoxy. As it drew to a close, however, Don Jayme, in 1226, issued an edict prohibiting all heretics from entering his kingdom, doubtless moved thereunto by the numbers who sought escape from the crusade of Louis VIII., and he followed this, in 1228, with another, depriving heretics, with their receivers, fautors, and defenders, of the public peace. The next step, we are told by the chroniclers of the Inquisition, was taken in consequence of the urgency of Raymond of Pennaforte, the Dominican confessor of the young king, who prèvailed on him to obtain from Gregory IX. inquisitors to purge his land. This is based on the bull *Declinante*, addressed, May 26, 1232, to Esparrago, Archbishop of Tarragona, and his suffragans, instructing them to make inquest in their dioceses after heretics, either personally or by Dominicans or other fitting persons, and to punish such as might be found, according to the statutes recently issued by him and by Annibaldo, Senator of Rome. This doubtless gave an impulse to what followed, but as yet there was no thought of a papal or Dominican Inquisition, or of adopting foreign legislation. In the following year, 1233, Don Jayme issued from Tarragona, with the advice of his assembled prelates, a statute on the subject, showing that the matter was regarded as pertaining to the State rather than to the Church. Seigneurs who protected heretics in their lands forfeited them to the lord, or, if allodial, to the king. Houses of heretics, if allodial, were to be torn down; if held in fief, forfeited to the lord. All defamed or suspected of heresy were declared ineligible to office. That the innocent might not suffer with the guilty, no one was to be punished as a heretic or believer except by his bishop or such ecclesiastic as had authority to determine his guilt. Bishops were ordered, when it might seem expedient to them in

* Matt. Paris ann. 1234 (p. 270, Ed. 1644).—Reinerii Summa (Martene Thesaur. V. 1767–8).

places suspected of heresy, to appoint a priest or clerk, while the king or his bailli would appoint two or three laymen, whose duty it should be to investigate heretics, and, taking precautions against their escape, to report them to the bishop or to the royal officials, or to the lord of the place. In this incongruous mixture of clerical and lay elements there may, it is true, be discovered the germ of an Inquisition, but one of a character very different from that which was at this time taking shape at Toulouse. The subordinate position of these so-called inquisitors is seen in the provision that any negligence in the performance of their functions was punishable, in the case of a clerk, by the loss of his benefice, in that of a layman, by a pecuniary mulct.*

To what extent this crude expedient was put in practice we have no means of knowing, but probably some attempts were made which only proved its inefficiency. Esparrago died soon afterwards and was succeeded in the archiepiscopal seat of Tarragona by Guillen Mongriu, whose vigorous and martial temperament was illustrated by his conquest of the island of Iviza. Mongriu speedily found that the domestic Inquisition would not work, and applied for the solution of some doubts to Gregory, who sent him, April 30, 1235, a code of instructions drawn up by Raymond of Pennaforte. About this time we find the first record of active work in persecution, which illustrates the absence of all formal inquisitorial procedure. Robert, Count of Rosellon, was one of the great feudatories of the crown of Aragon. He seems to have been involved, as most nobles were, in some disputes as to fiefs and tithes with the Bishop of Elne, whose diocese was in his territories. The bishop accused him of being the chief of the heretics of the region and of using his castles as a refuge for them. All this was very likely true—at least the bishop had no difficulty in finding witnesses to prove it, when Robert obediently abjured, but subsequently relapsed. Don Jayme accordingly had him arrested and imprisoned, but Robert managed to escape and shut himself in one of his inaccessible mountain strongholds. His posi-

* Archives Nat. de France, J. 426, No. 4.—D'Achery Spicileg III. 598.—Paramo de Orig. Offic. S. Inquis. p. 177.—Zurita, Añales de Aragon, Lib. III. c. 94.—Ripoll I. 38. (Cf. Llorente, Ch. III. Art. i. No. 3).—Marca Hispanica, pp. 1425–6.

tion, however, was desperate, and his lands liable to confiscation; he therefore expressed to Gregory IX. his desire to return to the bosom of the Church, and offered to serve with his followers against the Saracen as long as the pope might designate. Gregory therefore wrote, February 8, 1237, to Raymond of Pennaforte, that if the count would for three years with his subjects assist in the conquest of Valencia, and give sufficient security that in case of relapse his territories should be forfeited to the crown, he could be absolved. On hearing this the good bishop hastened to the papal court and declared that if Robert was absolved he and his witnesses would be exposed to the imminent peril of death, and that heresy would triumph in his diocese; but, on receiving assurances that his fiefs and tithes would be taken care of, he quieted down and offered no further opposition.*

Under the impulsion of Gregory and of Raymond of Pennaforte, Dominican inquisitors had at last been resorted to, and in this year, 1237, we first become cognizant of them. In right of his wife Ermessende, Roger Bernard the Great of Foix was Vizconde of Castelbo, a fief held of the Bishop of Urgel, with whom he had had a bitter war. He gave Castelbo to his son Roger, who, by the advice of his father, in 1237, allowed the Inquisition free scope there, placing the castle in the hands of Ramon Fulco, Vizconde of Cardona, in the name of the Archbishop of Tarragona and the bishops assembled at the Council of Lerida. That council thereupon appointed a number of inquisitors, including Dominicans and Franciscans, who made a descent on Castelbo. It had long been noted as a nest of Catharans. In 1225, under the protection of Arnaldo, then lord of the place, perfected heretics publicly preached their doctrines there. In 1234 we hear of a heretic of Mirepoix going thither to receive the *consolamentum* on his death-bed. The inquisitors, therefore, had no difficulty in finding victims. They ordered two houses to be destroyed, exhumed and burned the bones of eighteen persons, condemned as heretics, and carried off as prisoners some forty-five men and women, condemned fifteen who fled, and were undecided about sundry others. Still, the Bishop of Urgel was not satisfied, and he gratified his rancor by condemning and excommunicating Roger

* Llorente, Ch. III. Art. i. No. 5.—Ripoll I. 91-2.

Bernard as a defender of heretics, and it was not until 1240 that the latter, through the intervention of the Archbishop of Tarragona, and by submitting, abjuring heresy, and swearing to perform any penance assigned to him, procured from the bishop absolution and a certificate that he recognized him "*per bon et per leyal e per Catholich.*" *

In 1238 the Inquisition of Aragon may be said to be founded. In April of that year Gregory IX. wrote to the Franciscan Minister and Dominican Prior of Aragon deploring the spread of heresy through the whole kingdom, so that heretics no longer seek secrecy, but openly combat the Church, to the destruction of its liberties; and though this may be an exaggeration, we know from a confession before the Inquisition of Toulouse that there were enough scattered through the land to afford shelter to the wandering Catharan missionaries. Gregory, therefore, placed in the hands of the Mendicants the sword of the Word of God, which was not to be restrained from blood. They were instructed to make diligent inquisition against heresy and its abettors, proceeding in accordance with the statutes which he had issued, and calling in when necessary the aid of the secular arm. At the same time he made a similar provision for Navarre, which was likewise said to be swarming with heretics, by commissioning as inquisitors the Franciscan Guardian of Pamplona and the Dominican Pedro de Leodegaria. As an independent institution the Inquisition of Navarre seems never to have advanced beyond an embryonic condition. In 1246 we find Innocent IV. writing to the Franciscan Minister there to publish that Grimaldo de la Mota, a citizen of Pamplona, is not to be aspersed as a heretic because while in Lombardy he had eaten and drunk with suspected persons, but this is the only evidence of vitality that I have met with, and Navarre was subsequently incorporated into the Inquisition of Aragon.†

In Aragon the institution gradually took shape. Berenger de Palau, Bishop of Barcelona, was busily engaged in organizing it

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* Vaissette, III. Pr. 383–5, 392–3.—Doat, XXII. 218; XXIV. 184.

† Wadding, ann. 1238, No. 6.—Doat, XXIV. 182.—Pet. Rodulphii Hist. Seraph. Lib. II. fol. 285*b*.—Berger, Registres d'Innoc. IV. No. 2257.—Monteiro, Hist. da Inquisição, P. I. Liv. ii. ch. 36.

throughout his diocese at the time of his death in 1241, and the vicar, who replaced him while the see was vacant, completed it. In 1242 Pedro Arbalate, who had succeeded Guillen Mongriu as archbishop, with the assistance of Raymond of Pennaforte, held the Council of Tarragona to settle the details of procedure. Under the guidance of so eminent a canonist, the code drawn up by the council showed a thorough knowledge of the principles guiding the Church in its dealings with heretics, and long continued to be referred to as an authority not only in Spain, but in France. At the same time its careful definitions, which render it especially interesting to us, indicate that it was prepared for the instruction of a Church which as yet practically knew nothing of the principles of persecution firmly established elsewhere. It was probably under the impulse derived from these movements that active persecution was resumed at Castelbo, which does not seem to have been purified by the raid of 1237. This time the heretics were not as patient as before, and resorted to poison, with which they succeeded in taking off Fray Ponce de Blanes, or de Espira, the inquisitor, who had made himself peculiarly obnoxious by his vigorous pursuit of heresy for several years. This aroused all the martial instincts of the retired archbishop, Guillen Mongriu, who assembled some troops, besieged and took the castle, burned many of the heretics, and imprisoned the rest for life. An organized effort was made to extend the Inquisition throughout the kingdom, and the parish priests were individually summoned to lend it all the aid in their power. Urgel seems to have been the headquarters of the sectaries, for subsequently we hear of their sharp persecution there by the Dominican inquisitor, Bernardo Travesser, and of his martyrdom by them. As usual, both he and Ponce de Blanes shone forth in miracles, and have remained an object of worship in the Church of Urgel, though in 1262 the latter was translated to Montpellier, where he lies magnificently entombed.*

Still, the progress of organization seems to have been exceedingly slow. In 1244 a case decided by Innocent IV. shows a complete absence of any effective system. The Bishop of Elne and a

* Llorente, Ch. III. Art. 1. No. 7, 8, 19.—Concil. Tarraconens. ann. 1242.—Paramo, pp. 110, 177–8.

Dominican friar, acting as inquisitors, had condemned Ramon de Malleolis and Helena his wife as heretics. By some means they succeeded in appealing to Gregory IX., who referred the matter to the Archdeacon of Besalu and the Sacristan of Girona. These acquitted the culprits and restored them to their possessions; but the case was carried back to Rome, and Innocent finally confirmed the first sentence of conviction. Again, in 1248, a letter from Innocent IV. to the Bishop of Lerida, instructing him as to the treatment in his diocese of heretics who voluntarily return to the Church, presupposes the absence of inquisitors and absolute ignorance as to the fundamental principles in force. The power conferred the same year on the Dominican Provincial of Spain to appoint inquisitors seems to have remained unused. The efforts of Archbishop Mongriu and Raymond of Pennaforte had spent themselves apparently without permanent results. King Jayme grew dissatisfied, and, in 1254, urgently demanded a fresh effort of Innocent IV. This time the pope concluded, at Jayme's suggestion, to place the matter entirely in Dominican hands; but so little had been done in the way of general organization that he confided the choice of inquisitors to the priors of Barcelona, Lerida, Perpignan, and Elne, each one to act within his own diocese, unless, indeed, there are inquisitors already in function under papal commissions—a clause which shows the confusion existing at the time. Innocent further felt it necessary to report this action to the Archbishops of Tarragona and Narbonne, and to call upon them to assist the new appointees. This device does not seem to have worked satisfactorily. At that time the whole peninsula constituted but one Dominican province, and, in 1262, Urban IV. again adopted definitely the plan, in general use elsewhere, of empowering the provincial to appoint the inquisitors—now limited to two. A few days before he had sent to those of Aragon a bull defining their powers and procedure, and a copy of this was enclosed to the provincial for his guidance. This long remained the basis of organization; but after the division of the province into two, by the General Chapter of Cologne in 1301, the Aragonese chafed under their subordination to the Provincial of Spain, whose territories consisted only of Castile, Leon, and Portugal. The struggle was protracted, but the Inquisition of Aragon at last achieved independence in 1351, when Fray Nicholas Roselli, the Provincial of

Aragon, obtained from Clement VI. the power of appointing and removing the inquisitors of the kingdom.*

Meanwhile the inquisitors had not been inactive. Fray Pedro de Cadreyta rendered himself especially conspicuous, and as usual Urgel is the prominent scene of activity. In conjunction with his colleague, Fray Pedro de Tonenes, and Arnaldo, Bishop of Barcelona, he rendered final judgment, January 11, 1257, against the memory of Ramon, Count of Urgel, as a relapsed heretic who had abjured before the Bishop of Urgel, and whose bones were to be exhumed; but, with unusual lenity, the widow, Timborosa, and the son, Guillen, were admitted to reconciliation and not deprived of their estates. Twelve years later, in 1269, we find Cadreyta, together with another colleague, Fray Guillen de Colonico, and Abril, Bishop of Urgel, condemning the memory of Arnaldo, Vizconde of Castelbo, and of his daughter Ermessende, whom we know as the heretic wife of Roger Bernard the Great of Foix. They had both been dead more than thirty years, and her grandson, Roger Bernard III. of Foix, who had inherited the Vizcondado of Castelbo, was duly cited to defend his ancestors; but if he made the attempt, it was vain, and their bones were ordered to be exhumed. It is not likely that these sturdy champions of the faith confined their attention to the dead, though the only execution we happen to hear of at this period is that of Berenguer de Amoros, burned in 1263. That the living, indeed, were objects of fierce persecution is rendered more than probable by the martyrdom of Cadreyta, who was stoned to death by the exasperated populace of Urgel, and who thus furnished another saint for local cult.†

During the remainder of the century we hear little more of the Inquisition of Aragon, but the action of the Council of Tarragona, in 1291, would seem to show that it was neither active nor much respected. Otherwise the council would scarce have felt called upon to order the punishment of heretics who deny a future existence, and, further, that all detractors of the Catholic faith ought

* Berger, Registres d'Innocent IV. No. 799, 3904.—Baluz. et Mansi I. 208.—Ripoll I. 245, 427, 429; II. 235.—Eymeric. Direct. Inquis. pp. 129–36.—Paramo, p. 132.

† Llorente, Ch. III. Art. i. No. 14, 17.—Monteiro, Hist. da Inquisição, P. I. Liv. ii. ch. 10.—Pelayo, Heterodoxos Españoles, I. 492.—Zurita, Añales de Aragon, Lib. II. c. 76.—Paramo, p. 178.

to be punished as they deserve, to teach them reverence and fear. Still more significant is the injunction on parish priests to receive kindly and aid efficiently the beloved Dominican inquisitors, who are laboring for the extirpation of heresy.*

With the opening of the fourteenth century there would appear to be an increase of vigor. In 1302 Fray Bernardo celebrated several *autos de fé*, in which a number of heretics were abandoned to the secular arm. In 1304 Fray Domingo Peregrino had an *auto* in which we are told that those who were not burned were banished, with the assent of King Jayme II.—one of the rare instances of this punishment in the annals of the Inquisition. In 1314 Fray Bernardo Puigcercos was so fortunate as to discover a number of heretics, of whom he burned some and exiled others. To Juan de Longerio, in 1317, belongs the doubtful honor of condemning the works of Arnaldo de Vilanova. The names of Arnaldo Burguete, Guillen de Costa, and Leonardo de Puycerda have also reached us, as successful inquisitors, but their recorded labors were principally directed against the Spiritual Franciscans, and will be more particularly noted hereafter. The Aragonese seem not to have relished the methods of the Inquisition, for in 1325 the Cortes, with the assent of King Jayme II., prohibited for the future the use of the inquisitorial process and of torture, as violations of the Fueros. Whether or not this was intended to apply to the ecclesiastical as well as to the secular courts it is impossible now to tell, but, if it were, it had no permanent result, as we learn from the detailed instructions of Eymerich fifty years later. About the middle of the century, the merits of the Inquisitor Nicholas Roselli earned him the cardinalate. It is true that when the energetic action of the Inquisitor Jean Dumoulin, in 1344, drove the Waldenses from Toulouse to seek refuge beyond the Pyrenees, Clement VI. wrote earnestly to the kings and prelates of Aragon and Navarre to aid the Inquisition in destroying the fugitives, but there is no trace of any corresponding result.†

To Roselli, however, belongs the credit of raising a question

* Concil. Tarraconens. ann. 1291, c. 8 (Martene Ampl. Coll. VII. 294).

† Llorente, Ch. III. Art. ii. No. 4, 5, 9, 10, 11, 12, 14.—Eymeric. Direct. Inquis. p. 265. — Ripoll II. 245. — Zurita, Añales, Lib. VI. c. 61. — Raynald. ann. 1344, No. 9.

which inflamed to a white heat the traditional antagonism of the two great Mendicant Orders. It is worth brief attention as an illustration of the nicety to which doctrinal theology had attained under the combined influence of scholastic subtlety in raising questions, and inquisitorial enforcement of implicit obedience in the minutest articles of faith. In 1351 the Franciscan Guardian of Barcelona, in a public sermon, stated that the blood shed by Christ in the Passion lost its divinity, was sundered from the Logos, and remained on earth. The question was a novel one and a trifle difficult of demonstration, but its raising gave Roselli a chance to inflict a blow on the hated Franciscans, and he referred it to Rome. The answer met his most ardent anticipations. The Cardinal of Sabina, by order of Clement VI., wrote that the pope had heard the proposition with horror; he had convened an assembly of theologians in which he himself argued against it, when it was condemned, and the inquisitors everywhere were ordered to proceed against all audacious enough to uphold it. Roselli's triumph was complete, and the unfortunate guardian was obliged to retract his speculations in the pulpit where he had promulgated them. The Franciscans were restless under this rebuff, which they construed as directed against their Order. In spite of the papal decision the question remained an open one in the schools, where it was eagerly debated on both sides. The Franciscans argued, with provoking reasonableness, that the blood of Christ might well be believed to remain on earth, seeing that the foreskin severed in the Circumcision was preserved in the Lateran Church and reverenced as a relic under the very eyes of pope and cardinal, and that portions of the blood and water which flowed in the Crucifixion were exhibited to the faithful at Mantua, Bruges, and elsewhere. After the lapse of a century, the Franciscan, Jean Bretonelle, professor of theology in the University of Paris, in 1448 brought the matter before the faculty, stating that it was causing discussion at Rochelle and other places. A commission of theologians was appointed, which, after due debate, rendered a solemn decision that it was not repugnant to the faith to believe that the blood shed at the Passion remained on earth. Thus encouraged, the Franciscans grew bolder.

The Observantine Franciscan, Giacomo da Montebrandano, better known as della Marca, was one of the most prominent

ecclesiastics of the fifteenth century. His matchless eloquence, his rigid austerity, his superhuman vigor, and his unquenchable zeal for the extermination of heresy well earned the beatification conferred on him after death; and since 1417 he had been known as a hammer of heretics. He held a commission as universal inquisitor which clothed him with power throughout Christendom, and the heretics in every corner of Italy, in Bohemia, Hungary, Bosnia, and Dalmatia, had learned with cause to tremble at his name. It required no little nerve to assail such a man, and yet when, April 18, 1462, at Brescia, he publicly preached the forbidden doctrine, the Dominican Inquisitor, Giacomo da Brescia, lost no time in calling him to account. First a courteous note expressed disbelief in the report of the sermon and asked a disclaimer; but on the Observantine adhering to the doctrine, a formal summons followed, citing him to appear for trial on the next day. The two Orders had thus fairly locked horns. The Bishop of Brescia interfered and obtained a withdrawal of the summons, but the question had to be fought out before the pope. The bitterness of feeling may be judged by the complaint of the inquisitor that his opponent had so excited the people of Brescia against him and the Dominicans that but for prompt measures many of them would have been slain; while, from Milan to Verona, every Dominican pulpit resounded with denunciations of Giacomo della Marca as a heretic.

The politic Pius II. feared to quarrel with either Order, and had a tortuous path to tread. To the Dominicans he furnished an authenticated copy of the decision of Clement VI. To Giacomo della Marca he wrote that this had been done because he could not refuse it, and not to give it authority. It had not been issued by Clement, but only in his name, and the question was still an open one. Giacomo might rest in peace in the conviction that the pope had full confidence in his zeal and orthodoxy, and that his calumniators should be silenced. On May 31 he issued commands that all discussions of the question should cease, and that both sides should send their most learned brethren to an assembly which he would hold in September for exhaustive debate and final decision. This he hoped would put an end to the matter, while skilful postponement of the conference would allow it to die out; but he miscalculated the enmity of the rival Orders. The

quarrel raged more fiercely than ever. The Franciscans declared that the inquisitor who started it would be deprived of his office and mastership in theology. Pius thereupon soothed him by assuring him that he had only done his duty, and that he had nothing to fear.

The conference had become an inevitable evil, and Pius found himself obliged to allow it to meet in December, 1463. Each side selected three champions, and for three days, in the presence of the pope and sacred college, they argued the point with such ardent vehemence that, in spite of the bitter winter weather, they were bathed in sweat. Then others took part and the question was debated pro and con. The Franciscans put in evidence the blood of Christ exhibited for the veneration of the faithful in many shrines, and to the foreskin which was in the Lateran and also in the royal chapel of France. They also appealed to the cuttings of Christ's hair and beard, the parings of his nails, and all his excretions—did these remain on earth or were they divine and carried to heaven? To these arguments the Dominican reply is a curious exhibition of special pleading and sophistry; but as no one could allege a single text of Scripture bearing upon the question, neither side could claim the victory. The good Bishop of Brescia, who had at first played the part of peacemaker, consistently presented a written argument in which he proved that the pope ought not to settle the question because such a determination would, firstly, be doubtful; secondly, superfluous; and, thirdly, perilous. This wise utterance was probably inspired, for Pius reserved his decision, and, August 1, 1464, only eight days before his death, issued a bull in which he recited how the faithful had been scandalized by the quarrel between the two Orders, and, therefore, he forbade further discussion on the subject until the Holy See should finally decide it. The Dominicans were emphatically prohibited from denouncing the Franciscans as heretics on account of it, and any infraction of his commands was punishable by *ipso facto* excommunication supplemented with harsh imprisonment. He tells us himself that after the public discussion the cardinals debated the matter for several days. The majority inclined to the Dominicans and he agreed with them, but the preaching of the Franciscans was necessary for the crusade against the Turks which he proposed to lead in person, and it was impolitic

to offend them, so he postponed the decision. Mutterings of discussion, without open quarrel, have since then occasionally occurred between the Orders, but the popes have never seen fit to issue a definite decision on the subject, and the momentous question started by Roselli remains still unsettled—a pitfall for unwary feet.*

In 1356 Roselli was created Cardinal of S. Sisto, and was succeeded after a short interval by Nicolas Eymerich, the most noteworthy man of whom the Aragonese Inquisition can boast, although after more than thirty years of service he ended his days in disgrace and exile. Trained in varied learning, and incessant in industry, of his numerous works but one has had the honors of print—his "Directorium Inquisitorum," in which, for the first time, he systematized the procedure of his beloved institution, giving the principles and details which should guide the inquisitor in all his acts. The book remained an authority to the last, and formed the basis of almost all subsequent compilations. Eymerich's conception of the model inquisitor was lofty. He must be fully acquainted with all the intricacies of doctrine, and with all the aberrations of heresy—not only those which are current among the common people, but the recondite speculations of the schools, Averrhoism and Aristotelian errors, and the beliefs of Saracen and Tartar. At a time when the Inquisition was declining and falling into contempt, he boldly insisted on its most extreme prerogatives as an imprescriptible privilege. If he assumed that the heretic had but one right—that of choosing between submission and the stake—he was in this but the conscientious exponent of his age, and his writings are instinct with the conviction that the work of the inquisitor is the salvation of souls.

From Eymerich's lament over the difficulty of providing for the expenses of an institution so necessary to the Church, it is evident that the kings of Aragon had not felt it their duty to support the Holy Office, while the bishops, he tells us, were as firm as their brethren in other lands in evading the responsibility

* Eymeric. Direct. Inq. p. 262.—Ripoll III. 421; VII. 90.—Wadding. ann. 1351, No. 16, 18, 21; ann. 1462, No. 1-18; 1463, No. 1-5; 1464, No. 1-6.—D'Argentré, I. I. 372; II. 250, 254.—Gradonici Pontif. Brixianorum Series, Brixiæ, 1755, pp. 348-51.—Æn. Sylvii Comment. Lib. XI.; Ejusd. Lib. de Contentione Divini Sanguinis.

which by right was incumbent on them. The confiscations, he adds, amounted to little or nothing, for heretics were poor folk—Waldenses, Fraticelli, and the like. In fact, so far as we can gather, the sum of Eymerich's activity during his long career is so small that it shows how little was left of heresy by this time. Occasional Fraticelli and Waldenses and renegade Jews or Saracens were all that rewarded the inquisitor, with every now and then some harmless lunatic whose extravagance unfortunately took a religious turn, or some over-subtle speculator on the intricacies of dogmatic theology. Thus, early in his career, about 1360, Eymerich had the satisfaction of burning as a relapsed heretic a certain Nicholas of Calabria, who persisted in asserting that his teacher, Martin Gonsalvo of Cuenca, was the Son of God, who would live forever, would convert the world, and at the Day of Judgment would pray for all the dead and liberate them from hell. In 1371 he had the further gratification of silencing, by a decision of Gregory XI., a Franciscan, Pedro Bonageta. The exact relation between the physical matter of the consecrated host and the body of Christ under certain circumstances had long been a source of disputation in the Church, and Fray Pedro taught that if it fell into the mud or other unclean place, or if it were gnawed by a mouse, the body of Christ flew to heaven and the wafer became simple bread; and so also when it was ground under the teeth of the recipient, before he swallowed it. Gregory did not venture to pronounce this heretical, but he forbade its public enunciation. About the same time Eymerich had a good deal of trouble with Fray Ramon de Tarraga, a Jew turned Dominican, whose numerous philosophical writings savored of heresy. After he had been kept in prison for a couple of years, Gregory ordered him to have a speedy trial, and threatened Eymerich with punishment for contumacy if his commands were disobeyed. Ramon must have had powerful friends in the Order whom Eymerich feared to provoke, for six months later Gregory wrote again, saying that if Ramon could not be punished according to the law in Aragon, he must be sent to the papal court under good guard with all the papers of the process duly sealed. In fact, the Inquisition was not established for the trial of Dominicans. At the same time another Jew, Astruchio de Piera, held by Eymerich on an accusation of sorcery and the invocation of demons, was claimed as justiciable

by the civil power, and was sequestrated until Gregory ordered his delivery to the inquisitor, who forced him to abjure and imprisoned him for life. Somewhat earlier was a certain Bartolo Janevisio, of Majorca, who indulged in some apocalyptic writing about Antichrist, and was forced, in 1361, by Eymerich to recant, while his book was publicly burned. More practical, from a political point of view, was Eymerich's doctrine that all who lent assistance to the Saracens were punishable by the Inquisition as fautors of heresy, but this seems to have remained a theoretical assertion which brought no business to the Holy Office. We shall see hereafter how he fared in seeking the condemnation of Raymond Lulli's writings, and need only say here that the result was his suspension from office, to be succeeded by his capital enemy Bernardo Ermengaudi, in 1386, and that after the succession to the throne, in 1387, of Juan I., who was bitterly hostile to him, he was twice proscribed and exiled, and was denounced by the king as an obstinate fool, an enemy of the faith inspired by Satan, anointed with the poison of infidelity, together with other unflattering qualifications. He did not succeed better when in his rash zeal he assailed the holy San Vicente Ferrer for saying in a sermon that Judas Iscariot had a true and salutary repentance; that, being unable to reach Christ and obtain forgiveness owing to the crowd, he hanged himself and was pardoned in heaven. When the case was drawing to a conclusion, Pedro de Luna, then Cardinal of Aragon, took Vicente under his protection and made him his confessor, and, after his election in 1394 as Avignonese pope, under the name of Benedict XIII., he forced Eymerich to surrender the papers, which he unceremoniously burned. The next inquisitor, Bernardo Puig, is said to have been earnest and successful, punishing many heretics and confuting many heresies. In Valencia, about 1390, there was a case in which Pedro de Ceplanes, priest of Cella, read in his church a formal declaration that there were three natures in Christ—divine, spiritual, and human. A merchant of the town loudly contradicted it, and a tumult arose. The inquisitor of Valencia promptly arrested the too ingenious theologian, who only escaped the stake by public recantation and condemnation to perpetual imprisonment; but he broke jail and fled to the Balearic Isles, interjecting an appeal to the Holy See.*

* Eymeric. Direct. Inquis. pp. 44, 266, 314–6, 351, 357–8, 652–3.—Mag. Bull.

The creation, in 1262, of the kingdom of Majorca, comprising the Balearic Isles, Rosellon, and Cerdaña, by Jayme I. of Aragon, for the benefit of his younger son Jayme, seemed to render a separate inquisition requisite for the new realm. At what time it was established is uncertain, the earliest inquisitor of Majorca on record being Fr. Ramon Durfort, whose name occurs as a witness on a charter of 1332, and he continued to occupy the position until 1343, when he was elected Provincial of Toulouse. From that time, at least, there is a succession of inquisitors, and the forcible reunion in 1348, by Pedro IV., of the outlying provinces to the crown of Aragon did not effect a consolidation of the tribunals. As the Inquisition declined in dignity and importance, indeed, it seems to have sought a remedy in multiplying and localizing its offices. In 1413 Benedict XIII. (who was still recognized as pope in Aragon) made a further division by separating the counties of Rosellon and Cerdaña from the Balearic Isles, Fray Bernardo Pages retaining the former, and Guillen Sagarra obtaining the latter. Both of these were energetic men who celebrated a number of *autos de fé*, in which numerous heretics were reconciled or burned. Sagarra was succeeded by Bernardo Moyl, and the latter by Antonio Murta, who was confirmed in 1420, when Martin V. approved of the changes made. At the same time Martin, at the request of the king and of the consuls of Valencia, erected that province also into a separate Inquisition. The Provincial of Aragon appointed Fray Andrea Ros to fill the position; he was confirmed in 1433 by Eugenius IV., but was removed without cause assigned the next year by the same pope, although we are told that he inflexibly persecuted the "Bohemians" or "Wickliffites" with fire and sword. His successors, Domingo Corts and Antonio de Cremona, earned equal laurels in suppressing Waldenses.*

A case occurring in 1423 would seem to indicate that the Inquisition had lost much of the terror which had rendered it for-

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Rom. I. 263.—Ripoll II. 268, 269, 270.—Martene Thesaur. II. 1181-2, 1182 *bis*, 1189.—Raynald. ann. 1398, No. 23.—Wadding, ann. 1371, No. 14-24.—Paramo, p. 111.—Pelayo, Heterodoxos Españoles, I. 499-500, 528.

* Dameto, Mut, y Alemany, Historia General de Mallorca (Ed. 1840, I. 101-3, II. 652).—Libell. de Magist. Ord. Prædic. (Martene Ampl. Coll. VI. 432).—Paramo, pp. 179, 186-7.—Ripoll II. 579, 594; III. 20, 28.—Monteiro, P. I. Liv. ii. c. 30.—Llorente, Ch. III. Art. iii. No. 4, 8.

midable. Fray Pedro Salazo, Inquisitor of Rosellon and Cerdaña, threw in prison on charges of heresy a hermit named Pedro Freserii, who enjoyed great reputation for sanctity among the people. The accused declared that the witnesses were personal enemies, and that he was ready to purge himself before a proper judge, and his friends lodged an appeal with Martin V. The pope referred the matter, with power to decide without appeal, to Bernardo, Abbot of the Benedictine Monastery of Arles, in the diocese of Elne. Bernardo deputed the case to a canon of the church of Elne, who acquitted the accused without awaiting the result of another appeal to the pope interjected by the inquisitor; and Martin finally sent the matter to the Ordinary of Narbonne, with power to summon all parties before him and decide the case definitely. The whole transaction shows a singular want of respect for the functions of the Inquisition.*

Even more significant is a complaint made in 1456 to Calixtus III. by Fray Mateo de Rapica, a later inquisitor of Rosellon and Cerdaña. Certain neophytes, or converted Jews, persisted in Judaic practices, such as eating meat in Lent and forcing their Christian servants to do likewise. When Fray Mateo and Juan, Bishop of Elne, prosecuted them, they were so far from submitting that they published a defamatory libel upon the inquisitor, and, with the aid of certain laymen, afflicted him with injuries and expenses. Finding himself powerless, he appealed to the pope, who ordered the Archbishop and Official of Narbonne to intervene and decide the matter. The same spirit, in even a more aggravated form, was exhibited in a case already referred to, when, in 1458, Fray Miguel, the Inquisitor of Aragon, was maltreated and thrown in prison for nine months by some nobles and high officials of the kingdom, whom he had offended in obeying the instructions sent to him by Nicholas V.†

Yet, as against the poor and friendless, the Inquisition retained its power. Wickliffitism—as it had become the fashion to designate Waldensianism—had continued to spread, and about 1440 numbers of its sectaries were discovered, of whom some were reconciled, and more were burned as obstinate heretics by Miguel Ferriz,

* Ripoll II. 613.

† Ripoll III. 347.—Arch. de l'Inq. de Carcass. (Doat, XXXV. 192).

Inquisitor of Aragon, and Martin Trilles of Valencia. Possibly among these was an unfortunate woman, Leonor, wife of Doctor Jayme de Liminanna, of whom, about this time, we hear that she refused to perform the penance assigned to her by the Inquisition of Cartagena, and that she was consequently abandoned to the secular arm. The post of inquisitor continued to be sought for. To multiply it, Catalonia was separated from Aragon by Nicholas V. shortly after his accession in 1447. In 1459 another division took place, the diocese of Barcelona being erected into an independent tribunal by Martiale Auribelli, Dominican General Master, for the benefit of Fray Juan Conde, counsellor and confessor of the infant Carlos, Prince of Viane. The new incumbent, however, had not a peaceful time. It was probably the Inquisitor of Catalonia, objecting to the fractioning of his district, who obtained from Pius II., in 1461, a brief annulling the division, on the ground that one inquisitor had always sufficed. Fray Juan resisted and incurred excommunication, but the influence of his royal patron was sufficient to obtain from Pius, October 13, 1461, another bull restoring him to his position and absolving him from the excommunication. In 1479 a squabble occurring at Valencia shows that the office possessed attractions worth contending for. The Provincial of Aragon had removed Fray Jayme Borell and appointed Juan Marquez in his stead. Borell carried the tale of his woes to Sixtus IV., who commanded the General Master to replace him and retain him in peaceful possession.*

Ferdinand the Catholic succeeded to the throne of Aragon in 1479, as he had already done, in 1474, to that of Castile by right of his wife Isabella. Even before the organizing of the new Inquisition in Aragon, in 1483, it is probable that the influence of Ferdinand had done much to restore the power of the institution. In 1482, on the eve of the change, we find the Inquisition of Aragon acting with renewed vigor and boldness, under the Dominican, Juan de Epila. A number of cases are recorded of this period, including the prosecution of the father and mother of Felipe de Clemente, Prothonotary of the kingdom. As a preparatory step to placing the dominions of the crown of Aragon under Tor-

* Llorente, Ch. III. Art. iii. No. 11.—Albertini Repertor. Inquis. s. v. *Deficiens.* —Ripoll III. 397, 415, 572.

quemada as Inquisitor-general, it was requisite to get rid of Cristobal Gualvez, who had been Inquisitor of Valencia since 1452, and who had disgraced his office by his crimes. Sixtus IV. had a special enmity to him, and, in ordering his deposition, stigmatized him as an impudent and impious man, whose unexampled excesses were worthy of severe chastisement; and when Sixtus, in 1483, extended Torquemada's authority over the whole of Spain, with power to nominate deputies, he excepted "that son of iniquity, Cristobal Gualvez," who had been interdicted from the office in consequence of his demerits, and whom he even deprived of the function of preaching.*

The great kingdom of Castile and Leon, embracing the major portion of the Spanish peninsula, never enjoyed the blessing of the mediæval Inquisition. It was more independent of Rome than any other monarchy of the period. Lordly prelates, turbulent nobles, and cities jealous of their liberties allowed scant opportunity for the centralization of power in the crown. The people were rude and uncultured, and not much given to vain theological speculation. Their superfluous energy, moreover, found ample occupation in the task of winning back the land from the Saracen. The large population of Jews and of conquered Moors gave them peculiar problems to deal with which would have been complicated rather than solved by the methods of the Inquisition, until the union of Aragon and Castile under Ferdinand and Isabella, followed by the conquest of Granada, enabled those monarchs to undertake seriously the business, attractive both to statecraft and to fanaticism, of compelling uniformity of faith.

It is true that the Dominican legend relates how Dominic returned from Rome to Spain as Inquisitor-general, on the errand of establishing there the Inquisition for the purpose of punishing the renegade converted Jews and Moors; how he was warmly seconded by San Fernando III.; how he organized the Inquisition throughout the land, celebrating himself the first *auto de fé* at

* Llorente, Ch. VII. Art. ii. No. 2.—Herculano, Da Origem, etc., da Inquisição em Portugal, I. 44.—Ripoll III. 423.—Paramo, p. 187.

Burgos, where three hundred apostates were burned, and the second *auto* in the presence of the saintly king, who himself carried on his shoulders fagots for the burning of his subjects, and the pertinacious wretches defiantly rejoiced in the flames which were consuming them; how, after this, he established the Inquisition in Aragon, whence he journeyed to Paris and organized it throughout France; how, in 1220, he sent Conrad of Marburg as inquisitor to Germany, and in 1221 finished his labors by founding it in all the parts of Italy. All this can rank in historical value with the veracious statement of an old chronicler—a compatriot of the Pied Piper of Hamelin—that St. Boniface was an inquisitor, and that, with the support of Pepin le Bref, he burned many heretics. Detailed lists, moreover, are given of the successive inquisitors-general of the Peninsula—Frailes Suero Gomes, B. Gil, Pedro de Huesca, Arnaldo Segarra, Garcia de Valcos, etc., but these are simply the Dominican provincials of Spain, who were empowered by the popes to appoint inquisitors, and whose exercise of that power did not extend beyond Aragon. Even Paramo, although he tries to prove that there were inquisitors nominally in Castile, is forced to admit that practically there was no Inquisition there.*

Yet, even in the distant city of Leon, Catharism had obtained a foothold. Bishop Rodrigo, who died in 1232, expelled a number of Cathari, on his attention being called to them by their circulating a story to excite hatred of the priesthood, relating how a poor woman placed a candle on the altar in honor of the Virgin, and on her leaving it a priest took it for his own use. The following night the Virgin appeared to her votary and cast burning wax into her eyes, saying, "Take the wages of your service. As soon as you went away a priest carried off the candle; as you would have been rewarded had the candle been consumed on my altar, so you must bear the punishment, since your carelessness gave me the light only for a moment." This diabolical story, says Lucas of Tuy, an eye-witness, so affected the minds of the simple that the devotion of offering candles ceased, and it required two genuine miracles to restore the faith of the people. During the inter-

* Monteiro, P. I. Liv. i. c. 38, 44, 46, 48–51; Liv. ii. c. 5–12.—Chron. Eccles. Hamelens. (Scriptt. Rer. Brunsv. II. 508).—Herculano, I. 39.—Baluz. et Mansi, I. 208.—Paramo de Orig. Offic. S. Inquis. p. 131.

val between the death of Bishop Rodrigo, in March, 1232, and the election of his successor, Arnaldo, in August, 1234, the heretics had ample opportunity to work their wicked will. A Catharan named Arnaldo had been burned, about 1218, in a place in the suburbs used for depositing filth. There was a spring there which the heretics colored red, and proclaimed that it had miraculously been turned to blood. Many of them, simulating blindness, lameness, and demoniacal possession, were carried there and pretended to be cured, after which they dug up the heretic's bones and declared them to be those of a holy martyr. The people were fired with enthusiasm, erected a chapel, and worshipped the relics with the utmost ardor. In vain the clergy and the friars endeavored to stem the tide; the people denounced them as heretics, and despised the excommunication with which the neighboring bishops visited the adoration of the new saint; while the real heretics made many converts by secretly relating how the affair had been managed, and pointing it out as a sample of the manufacture of saints and miracles. God visited the sacrilege with a drouth of ten months, which was not broken until Lucas, at the risk of his life, destroyed the heretic chapel; and when the rains came there was a revulsion of feeling which enabled him to expel the heretics. All this would seem to indicate that the heretics were numerous and organized; it certainly shows that there was no machinery for their suppression; but after the elevation of Lucas to the see of Tuy, in 1239, we hear no more of heretics or of persecutions. The whole affair, apparently, was a sporadic manifestation, probably of some band of fugitives from Languedoc, who disappeared and left no following.*

If what Lucas tells us be true, that ecclesiastics frequently joined in and enjoyed the ridicule with which heretics derided the sacraments and the clergy, the Spanish Church was not likely to give much aid to the introduction of the Inquisition. How little its methods were understood appears in the fact that when, in 1236, San Fernando III. found some heretics at Palencia, he proceeded to brand them in the face, which brought them to reason and led them to seek absolution. No one seemed to know

* Lucæ Tudens. de altera Vita, Lib. III. c. 7, 9. Cf. c. 18, 20. — Florez, España Sagrada, XXII. 120–22, 126–30.

what to do with them, so Gregory IX. was applied to, and he authorized the Bishop of Palencia to reconcile them. There is probably no truth in the statement of some historians that the king, on several occasions, was obliged to levy from his subjects a tribute of wood with which to burn the unrepentant, and the story only serves to show how utterly vague have been the current conceptions of the period.*

We reach firmer ground with the codes known as El Fuero Real and Las Siete Partidas, the first issued by Alonso the Wise, in 1255, and the second about ten years later. By this time the Inquisition was at its height. It was thoroughly organized, and wherever it existed the business of suppressing heresy was exclusively in its hands. Yet not only does Alonso take no count of it, but in his regulation by secular law of the relations between the heretic and the Church he shows how completely, up to this period, Spain had remained outside of the great movements of the twelfth and thirteenth centuries. Heresy, it is true, is one of the matters pertaining to the ecclesiastical tribunals, and any one can accuse a heretic before his bishop or vicar. If the accused is found not to believe as the Church teaches, effort is to be made to convert him, and if he returns to the faith he is to be pardoned. If he proves obstinate, he is to be handed over to the secular judge. Then, however, his fate is decided without reference to the laws which the Church had endeavored to introduce throughout Christendom. If the culprit had received the *consolamentum*, or is a believer observing the rites, or one of those who deny the future life, he is to be burned; but if a believer not observing the rites, he is to be banished or imprisoned until he returns to the faith. Any one learning heresy, but not yet a believer, is fined ten pounds of gold to the fisc, or, if unable to pay, to receive fifty lashes in public. In the case of those who die in heresy or are executed, their estates pass to Catholic descendants, or, in default of these, to the next of kin; if without such kindred, the property of laymen goes to the fisc, of ecclesiastics, to the Church, if claimed within a year, after which it inures to the fisc. Children disinherited for heresy recover their portions, but not the

* Lucæ Tudens. Lib. III. c. 12.—Raynald. ann. 1236, No. 60.—Rodrigo, Hist. Verdadera de la Inquisicion, II. 10.

mesne profits, on recantation. No one, after condemnation for heresy, can hold office, inherit property, make a will, execute a sale, or give testimony. The house where a wandering heretic missionary is sheltered is forfeited to the Church, if inhabited by the owner; if rented, the offending tenant is fined ten pounds of gold or publicly scourged. A *rico home* or noble sheltering heretics in his lands or castles, and persisting after a year's excommunication, forfeits the land or castle to the king; and if a non-noble his body and property are at the king's pleasure. The Christian who turns Jew or Moslem is legally a heretic, and is to be burned, as well as one who brings up a child in the forbidden faith. Prosecutions of the dead, however, are humanely limited to five years after decease.*

All this shows that Alonso and his counsellors recognized the duty of the State to preserve the purity of the faith, but that they considered it wholly an affair of the State, in which the Church had no voice beyond ascertaining the guilt of the accused. All the voluminous and minute legislation of Gregory IX., Innocent IV., and Alexander IV. was wholly disregarded—the canon law had no currency in Castile, which regulated such matters to suit its own needs. That in this respect the popular needs were met is shown by the Ordenamiento de Alcalà, issued in 1348, which is silent on the subject of heresy. Apparently no change was deemed necessary in the provisions of the Partidas, which were then for the first time confirmed by the popular assembly. Under such legislation it follows as a matter of course that the Dominican provincial had no inquisitors to appoint, except in Aragon, under the bull of Urban IV. in 1262.

Castile continued unvexed by the Inquisition, and persecution for heresy was almost unknown. In 1316 Bernard Gui, of Toulouse, discovered in his district some of the dreaded sectaries known as Dolcinists or Pseudo-Apostoli, who fled to Spain to escape his energetic pursuit. May 1, 1316, he wrote to all the prelates and friars of Spain describing their characteristics and urging their apprehension and punishment. Had there been an Inquisition there he would have addressed himself to it. From remote Com-

* Las Siete Partidas, P. I. Tit. vi. l. 58; P. VII. Tit. xxiv. l. 7; Tit. xxv. ll. 2–7.—El Fuero real, Lib. IV. Tit. i. ll. 1, 2.

postella he received an answer, written by Archbishop Rodrigo, March 6, 1317, announcing that five persons answering to the description had been captured there and were held in chains, and asking for instructions as to the mode of trying them and the punishment to be inflicted in case they are found guilty, "for all this is heretofore unaccustomed in our parts." Evidently there was no Inquisition in Castile and Leon to which to apply, and even the provisions of the Partidas were unknown, though of all places in the kingdom Compostella must have been the one most familiar with the outer world and with heretics, from the stream of penitents continually sent thither as pilgrims.*

In 1401 Boniface IX. made a demonstration by appointing the provincial, Vicente de Lisboa, inquisitor over all Spain, directing that his expenses should be paid by the bishops, and that no superior of his Order could remove him. The only heresy specifically alluded to in the bull is the idolatrous worship of plants, trees, stones, and altars — apparently superstitious relics of paganism which indicate the condition of religion and culture in the Peninsula. Boniface's action could hardly have been taken with any expectation of result, as Spain rendered obedience to Benedict XIII., the Antipope of Avignon, and it was probably only a move in the political game of the Great Schism. Whatever the motive, however, the effort was fruitless, for Fray Vicente was already dead in the odor of sanctity at the date of the bull. On learning this, Boniface returned to the charge, February 1, 1402, by empowering forever thereafter the Dominican Provincial of Spain to appoint and remove inquisitors, or to act as such himself, with all the privileges and powers accorded to the office by the canons. Inoperative as this remained, it at least had the advantage of supplying to the Spanish historians an unbroken line of inquisitors-general to be catalogued. About the same time King Henry III. increased the penalties of heresy by decreeing confiscation to the royal treasury of all the possessions of those condemned for heresy by the ecclesiastical judges.†

* Coll. Doat, XXX. 132 sqq.—Archbishop Rodrigo's letter is dated 1315. This I presume to be an error of a copyist, probably misled by the use of the Spanish era in which 1355 is equivalent to 1317.

† Ripoll II. 421, 433.—Monteiro, P. I. Liv. ii. c. 35, 36.—Novisima Recopilacion, Lib. XII. Tit. ii. l. 1.

This, perhaps, technically justifies Alonso Tostado, Bishop of Avila, who soon afterwards alludes to inquisitors in Spain investigating those defamed for heresy, and it explains the remarks of Sixtus IV. when, in January, 1482, he confirmed the two inquisitors appointed at Seville by Ferdinand and Isabella at the commencement of their reforms, and forbade their naming more, for the reason that the appointees of the Dominican provincial were sufficient. In spite of all this, the Spanish Inquisition was simply potential, not existent. When, in 1453, Alonso de Almarzo, Abbot of the great Benedictine foundation of Antealtares of Compostella, with his accomplices, was tried for selling throughout Spain and Portugal indulgences warranted to release the souls of the damned from hell, for counterfeiting the papal Agnus Dei, for forging and altering papal letters, and for persuading Jewish converts to apostatize, had there been an Inquisition it would promptly have taken cognizance of the culprits; but in place of this the case was referred to Nicolas V., who instructed the Bishop of Tarazona to proceed against them. A few years later Alonso de Espina, about 1460, sorrowfully admits the absence of all persecution of heresy. Bishops and inquisitors and preachers ought all to resist the heretics, but there is no one to do it. "No one investigates the errors of heretics. The ravening wolves, O Lord, have gained admittance to thy flock, for the shepherds are few. There are many hirelings, and because they are hirelings they care only for shearing, not for feeding the sheep!" and he draws a deplorable picture of the Spanish Church, distracted with heretics, Jews, and Saracens. Soon after this, in 1464, the Cortes assembled at Medina turned its attention to the subject and complained of the great number of "*malos cristianos e sospechosos en la fe*," but the national aversion to the papal Inquisition still manifested itself, and its introduction was not suggested. The archbishops and bishops were requested to set on foot a rigid investigation after heretics, and King Henry IV. was asked to lend them aid, so that every suspected place might be thoroughly searched, and offenders brought to light, imprisoned, and punished. It was represented to the king that this would be to his advantage, as the confiscations would inure to the royal treasury, and he graciously expressed his assent; but the effort was resultless.*

* Monteiro, P. I. Liv. ii. c. 30.—Rodrigo, II. 11, 14-15.—Paramo, p. 136.—

For the most part the orthodoxy of Spain had been vexed only with a few Fraticelli and Waldenses, not numerous enough to call for active repression. The main trouble lay in the multitudes of Jews and Moors who, under the law, were entitled to toleration, but whom popular fanaticism had forced to conversion in great numbers, and whose purity of faith was justly liable to suspicion. Hereafter I hope to have the opportunity of showing that from both the religious and the political standpoint of the age the measures taken by Ferdinand and Isabella were by no means without justification, however mistaken they were both in morals and in policy, and however unfortunate in their ultimate results. At present it suffices to point out this condition of affairs to explain the dissatisfaction which was widely prevalent and the demand for an efficient remedy.

At the same time even Spain was not wholly unmoved by the spirit of unrest and inquiry which marked the second half of the fifteenth century, sapping the foundations of tradition and rejecting the claims of sacerdotalism. About 1460 we learn from Alonso de Espina that many were beginning to deny the efficacy of oral confession, and this point could not have been reached without calling in question many other doctrines and observances which the Church taught to be necessary to salvation. At length these innovators grew so bold that Pedro de Osma, a professor in the great University of Salamanca, ventured to promulgate their obnoxious opinions in print. Oral confession, he asserted, was of human, not of divine precept, and was unnecessary for the forgiveness of sins; no papal indulgence could insure the living from the fires of purgatory; the papacy could err, and had no power to dispense with the statutes of the Church. Had there been any machinery of persecution at hand, short work would have been made with so bold a heretic, but the authorities were so much at a loss what to do with him that they applied to Sixtus IV., who sent a commission to Alonso Carrillo, Archbishop of Toledo, the dignitary next in rank to the king, to try him. In 1479 a council was assembled for the purpose at Alcalà, consisting of fifty-two of the best theologians in Spain, besides a number of canon law-

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Raynald. ann. 1453, No. 19.—Alphons. de Spina Fortalic. Fidei Prolog. fol. 56*b* (Ed. 1494).

yers. Pedro was summoned to appear, and on his failing to do so his doctrine was condemned as heretical, and he was sentenced—not to the stake for contumacy, but to recant publicly in the pulpit. He submitted and did so, and we are told in the official report of the proceedings that all the faithful burst into tears at this signal manifestation of the conquering hand of God. Pedro died peacefully in the bosom of the Church during the next year, 1480, and Sixtus IV., in confirming the action of the council, ordered the archbishop to prosecute as heretics any of his followers who would not imitate his obedience.*

Evidently some more efficient and less cumbrous method was requisite if the population of reunited Spain was to enjoy the blessing of uniformity in faith. It did not take long for the piety of Isabella and the policy of Ferdinand to discover appropriate means.

In Portugal, Affonso II., at the commencement of his reign, in 1211, had manifested his zeal by inducing his Cortes to adopt severe laws for the repression of heresy; but when Sueiro Gomes, the first Dominican Provincial of Spain, endeavored to introduce in his kingdom inquisitors of the order, Affonso refused to admit them, and successfully insisted that heretics should be tried as heretofore by the ordinary episcopal courts. This rebuff sufficed for nearly a century and a half, and there must have been considerable freedom of thought, for, about 1325, Alvaro Pelayo gives a long list of the errors publicly defended in the schools of Lisbon by Thomas Scotus, a renegade friar. Their nature may be appreciated from his Averrhoistic assertion that there had been three deceivers—Moses who deceived the Jews, Christ the Christians, and Mahomet the Saracens. He seems to have enjoyed immunity until he declared that St. Antony of Padua kept concubines, when the Franciscan prior had him incarcerated, and his trial followed. At last, by a bull, dated January 17, 1376, Gregory XI. authorized Agapito Colonna, Bishop of Lisbon, to appoint, for this time only, a Franciscan inquisitor, as heresies were known to be spreading,

* Alphons. de Castro adv. Hæreses Lib. III. s. v. *Confessio.*—Illescas, Historia Pontifical, Lib. VI. c. 18.—Aguirre Concil. Hispan. V. 351-8.—D'Argentré, I. II. 298-302.

and there were no inquisitors in the kingdom. The nominee was to receive an annual salary of two hundred gold florins assessed upon all the dioceses in the proportion of their contributions to the apostolic chamber. Under this authority Agapito appointed the first Portuguese inquisitor, Martino Vasquez. From what we have seen elsewhere we may reasonably doubt his success in collecting his stipend; but, small as his receipts may have been, they were the equivalent of his service, for no trace of any labors performed by him remains.*

The Great Schism commenced in 1378, and as Portugal acknowledged Urban VI. while Spain adhered to the antipope Clement VII., the Dominican province of Spain divided itself, the Portuguese choosing a vicar-general, and finally a provincial, Gonçalo, in 1418, when Martin V. legalized the separation. This perhaps explains why Martino Vasquez was succeeded by another Franciscan. In 1394 Rodrigo de Cintra, calling himself Inquisitor of Portugal and Algarve, applied to Boniface IX. for confirmation, which was graciously accorded to him. Apparently the revenues of the office were nil, for the privilege was granted to him of residing with one associate at will in any Franciscan convent, which was bound to minister to his necessities, the same as to any other master of theology. Rodrigo was preacher to King João I., who requested this favor of Boniface, and his career, like that of his predecessor, is a blank. He was followed by a Dominican, Vicente de Lisboa, who had been Provincial of Spain at the time of the disruption, when he returned to Portugal and became confessor of Dom João. The king, in 1399, requested of Boniface his appointment as inquisitor, which was duly granted; and, as we have seen, in 1401, the pope endeavored to extend his jurisdiction over Castile and Leon. No trace of his inquisitorial activity exists. After his death, in 1401, there appears to have been an interval. The office apparently was regarded as a perquisite of the royal chapel for those who would condescend to accept it. The next appointment of which we hear is that of another confessor of Dom João, in 1413, this time a Franciscan, Affonso de Alprão, of whose doings no record has been preserved. When,

* Herculano, I. 40.—Monteiro, P. I. Liv. ii. c. 34.—Pelayo, Heterodoxos Españoles, I. 782–3.

in 1418, the kingdom was reorganized as an independent Dominican province, the earnest annalists of the Inquisition assume that under the bull of Boniface IX., in 1402, each successive provincial was likewise an inquisitor-general, and the lists of these worthies are laboriously paraded as such, until the founding of the New Inquisition in 1531. No acts of theirs in such capacity, however, are recorded. The Holy Office continued dormant, without even a titular official, until, in the early years of the sixteenth century, Dom Manoel, stimulated by the example of his Castilian neighbors, and feeling solicitude as to the status of the New Christians, or converts from Judaism and Islam, bethought him of its revival. Although he had the Dominican provincial at hand, no purpose of utilizing him in this manner seems to have been entertained. The king applied to the pope and obtained the appointment of a Franciscan, Henrique de Coimbra, but there is no trace of his activity.*

The New Inquisition of Spain was a model which the smaller kingdom would naturally be expected to adopt, and in fact, to ardent Catholics, there might well seem to be a necessity for such an institution in view of the problems arising from the large influx of New Christians flying from Spanish persecution. Dom Manoel, indeed, at one time entertained so seriously the idea of establishing the Spanish Inquisition in his dominions that, in 1515, he ordered his ambassador at Rome, D. Miguel da Silva, to obtain from Leo X. the same privileges as those which had been conceded to Castile, but from some cause the project was abandoned. His son, Dom João III., who succeeded him in 1521, was a weak-minded fanatic, and it is only singular that the introduction of the Inquisition on the Spanish model was delayed for still ten years. The struggle which took place over the measure belongs, however, to a period beyond our present limits.†

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* Llorente, Ch. III. Art. ii. No. 24.—Monteiro, P. I. Liv. ii. c. 35, 37, 38, 39. —Wadding, ann. 1394, No. 4; 1413, No. 4.—Ripoll II. 389.

† Herculano, Da Origem, etc., da Inquisição, I. 163-5.

CHAPTER IV.

ITALY.

In France we have seen the stubbornness of heresy in alliance with feudalism resisting the encroachments of monarchy. In Italy we meet with different and more complicated conditions, which gave additional stimulus to antagonism against the established Church, and rendered its suppression a work of much greater detail. Here heresy and politics are so inextricably intermingled that at times differentiation becomes virtually impossible, and the fate of heretics depends more on political vicissitudes than even on the zeal of men like St. Peter Martyr, or Rainerio Saccone.

For centuries the normal condition of Italy was not far removed from anarchy. Spasmodic attempts of the empire to make good its traditional claim to overlordship were met by the steady policy of the papacy to extend its temporal power over the Peninsula. During the century occupied by the reigns of the Hohenstaufens (1152–1254), when the empire seemed nearest to accomplishing its ends, the popes sought to erect a rampart by stimulating the attempts of the cities to establish their independence and form self-governing republics, and it thus created for itself a party in all of them. North of the Patrimony of St. Peter the soil of Italy thus became fractioned into petty states under institutions more or less democratic. For the most part they were torn with savage internal feuds between factions which, as Guelf or Ghibelline, hoisted the banner of pope or kaiser as an excuse for tearing each other to pieces. As a rule, they were involved in constant war with each other. Occasionally, indeed, some overmastering necessity might bring about a temporary union, as when the Lombard League, in 1177, broke the Barbarossa's power on the field of Legnano, but, in general, the chronicles of that dismal period are a confused mass of murderous strife inside and outside the gates of every town.

Heresy could scarce ask conditions more favorable for its spread. The Church, worldly to the core, was immersed in temporal cares and pleasures, and during the strife between Alexander III. and the four antipopes successively set up by Frederic I.—Victor, Pascal, Calixtus, and Innocent—the enforcement of orthodoxy was out of the question. After the triumph of the papacy, stringent decrees, as we have seen, were issued by Lucius III., and edicts were promulgated by Henry VI. in 1194, and by Otho IV. in 1210, but they were practically inefficient. When every town was divided against itself heresy could bargain for toleration by holding the balance of power, and was frequently able, by throwing its weight on one side or the other, to obtain a share in the government. The larger struggles of city against city and of pope against emperor afforded a still wider field for the exercise of this diplomatic ability, of which full advantage was taken. When the formulas of persecution became defined under Honorius III., Gregory IX., and Frederic II., and fautorship was made equivalent to heresy, the factions and the nobles who tolerated or protected heretics became involved in the common anathema, and whole communities were stigmatized as given over to false idols. Yet although Ghibelline and heretic were frequently held by the popes to be almost convertible terms, there was in reality no test capable of universal application. Traditional hostility to the empire rendered Milan an intensely Guelf community, and yet it was everywhere recognized as the greatest centre of heresy.

Though heresy was by no means so universal as the papal anathemas would indicate, yet heretics were quite numerous enough to possess political importance, and to have some justification for their hopes of eventually becoming dominant. Little concealment was deemed necessary. When Otho IV. was in Rome for his coronation in 1209, under the vigilant rule of Innocent III., the ecclesiastics who accompanied him were scandalized at finding schools where Manichæan doctrines were openly taught, apparently without interference. The earlier Dominican persecutors are represented as constantly holding public disputations with heretics in the most populous cities of Italy, and the miracles related of them were mostly occasioned by the taunts and challenges of heretics. Otho, at Ferrara, in 1210, was obliged to order the magistrates to put to the ban the Cathari who refused, at the

instance of the bishop, to return to the Church, and also those who publicly supported them.*

Although Stephen of Bourbon relates that a converted heretic informed him that in Milan there were no less than seventeen heterodox sects which bitterly disputed with each other, yet they can, as in France, be reduced to two main classes—Cathari, or Patarins, and Waldenses. The Cathari, it will be remembered, made their appearance in the first half of the eleventh century, at Monforte, in Lombardy, and they had continued to multiply since then. About the middle of the thirteenth century Rainerio Saccone gives us an enumeration of their churches. In Lombardy and the Marches there were about five hundred perfected Cathari of the Albanensian sect, more than fifteen hundred Concorrezenses, and about two hundred Bajolenses. The Church of Vicenza reckoned about a hundred; there were as many in Florence and Spoleto, and in addition about one hundred and fifty refugees from France in Lombardy. As he estimates the total number, from Constantinople to the Pyrenees, at four thousand, with a countless congregation of believers, it will be seen that nearly two thirds of the whole number were concentrated in northern Italy, chiefly in Lombardy, and that they constituted a notable portion of the population.†

Lombardy, in fact, was the centre whence Catharism was propagated throughout Europe. We have seen above how for more than half a century it served as a refuge to the persecuted saints of Languedoc, and as a source whence to draw missionaries and teachers. About 1240 a certain Yvo of Narbonne was falsely accused of heresy and fled to Italy, where he was received as a martyr, and had full opportunity of penetrating into the secrets of the sectaries. In a letter to Géraud, Archbishop of Bordeaux, he describes their thorough organization throughout Italy, with ramifications extending into all the neighboring lands. From all the cities of Lombardy and Tuscany their youth were sent to Paris to perfect themselves in logic and theology, so as to be able successfully to defend their errors. Catharan merchants

* Cæsar. Heisterbacens. Dial. Mirac. Dist. v. c. 25.—Muratori Antiq. Ital. Diss. LX. (T. XII. p. 447).

† D'Argentré, Coll. Judic. de novis Error. I. i. 86.—Reinerii Summa (Martene Thesaur. V. 1767).

frequented fairs and obtained entrance into houses where they lost no opportunity of scattering the seed of false doctrine. Full of zeal and courage, the Catharan believed his faith to be the religion of the future, and his ardor courted martyrdom in the effort to spread it everywhere. Milan was the headquarters whither every year delegates were sent from the churches throughout Christendom, bringing contributions for the support of the central organization, and receiving instructions as to the symbol, changed every twelvemonth, whereby the wandering Patarin could recognize the houses of his brethren and safely claim hospitality. It was in vain that, in 1212, Innocent III. warned the heretical city of the fate of Languedoc, and threatened to send a similar crusade for its extirpation. Fortunately for the Lombards he had no one to summon to their destruction, for Germany, however desirous of conquering Italy, was too distracted for such an enterprise, and the popes dreaded imperial domination quite as much as heresy. There was bitter irony in the reply of Frederic II., when, in 1236, he was subduing the rebellious Lombards, and he answered the clamor of Gregory IX., who called upon him to transfer his arms to Syria, by pointing out that the Milanese were much worse than Saracens, and their subjugation much more important.*

We have no means of obtaining an approximate estimate of the Waldenses, but in some districts they must have been almost as numerous as the Cathari. The remains of the Arnaldistæ and Umiliati had eagerly welcomed the missionaries of the Poor Men of Lyons, and had not only adopted their tenets, but had pushed them to a further development in antagonism to Rome. As early as 1206 we see Innocent III. alluding to Umiliati and Poor Men of Lyons as synonymous expressions, and endeavoring with little success to effect their expulsion from Faenza, where they were spreading and infecting the people. In Milan they had built a school where they publicly taught their doctrines; this was at length torn down by a zealous archbishop, and when, in 1209, Durán de Huesca sought to bring them back to the fold, a hundred or more of them consented to be reconciled if the building

* Matt. Paris. ann. 1236, p. 293; ann. 1243, pp. 412-13 (Ed. 1644).—Trithem. Chron. Hirsaug. ann. 1230.—Innoc. PP. III. Regest. xv. 189.—Hist. Diplom. Frid. II. T. IV. p. 881.

were restored to them. Evidently they had little to dread from active persecution, and subsequent letters of Innocent show them to be still flourishing there. The Waldenses who were burned at Strassburg in 1212 admitted that their chief resided in Milan, and that they were in the habit of collecting money and remitting it to him.*

It was, however, in the valleys of the Cottian Alps, to which they spread from Dauphiné, that they settled themselves most firmly. In those inhospitable regions, till then almost uninhabited, their marvellous and self-denying industry occupied every spot where incessant labor could support life. There they rapidly increased and filled the valleys of Luserna, Angrogna, San Martino, and Perosa. In 1210 Giacomo di Carisio, Bishop of Turin, alarmed at the constant growth of this heresy in his diocese, applied to Otho IV. for aid in its suppression, but the emperor in reply merely ordered him to use severity in their punishment and expulsion. Authority for this he already had in abundance under the canons, but he lacked the physical force to render it effective, and the imperial rescript went for naught. This shows that the local suzerains took no measures to enforce persecution, and the heretics continued to increase. The immediate sovereign of the district most deeply infected was the Abbey of Ripaille, which found itself unable to control them, and made over its temporal rights to Tommaso I., Count of Savoy. He issued an edict, to which I have already referred, imposing a fine of ten sols for giving refuge to heretics, which proved altogether ineffective. Thus, in the absence of efficient repression, were established those Alpine communities whose tenacity of belief supplied through centuries an unfailing succession of humble martyrs, and who ennobled human nature by their marvellous example of constancy and endurance.†

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* Montet, Hist. litt. des Vaudois du Piémont, pp. 40-1.—Innoc. PP. III. Regest. IX. 18, 19, 204; XII. 17; XIII. 63.—Kaltner, Konrad v. Marburg, pp. 42, 44.—Annal. Marbacens. ann. 1231 (Urstisii Germ. Hist. Scriptt. II. 90).

† Böhmer, Regest. Imp. V. 110.—Comba, La Riforma in Italia, I. 254-57.—Ejusd. Histoire des Vaudois d'Italie, I. 124 sqq., 140.—Charvaz, Origine dei Valdesi, App. No. XXII.

Giuseppe Manuel di S. Giovanni (Un' Episodia della Storia del Piemonte, Torino, 1874, pp. 15-21) argues that the letter of Otho IV. is only the draft of one

Although the Lombard Waldenses admitted their descent from the Poor Men of Lyons, their more rapid development gave rise to differences, and in 1218 a conference was held at Bergamo between delegates of both parties. This did not succeed in removing the points of dissidence, and about 1230 the Lombards sent to the brethren in Germany a statement of the discussion and of their views. It is not our province to enter into these minute details of faith and Church government, but the affair is worth alluding to as illustrating the flourishing condition of the Church, the practical toleration which it enjoyed, and the active communication which existed between its organizations throughout Europe.*

The aggressiveness of the heretics, the favor shown them by the people, and the impossibility of any systematic suppression by the Church under existing political conditions are well exhibited in the troubles which commenced at Piacenza in 1204. There the heretics were strong enough to provoke a quarrel between the authorities and Bishop Grimerio, which resulted in either the withdrawal or the expulsion of the prelate and all the clergy. The exiles transferred themselves to Cremona, but in 1205 that city likewise quarrelled with its pastors, and the wanderers were again driven forth, to find a refuge in Castell' Arquato. For three years and a half Piacenza remained without an orthodox priest, and deprived of all the observances and consolations of religion. So weak was the hold of the Church upon the people that this deprivation was acquiesced in with the utmost indifference. In October, 1206, Innocent III. sent three Apostolic Visitors to effect a reconciliation, with a threat of dividing the diocese and apportioning it among the neighboring sees, but the citizens cared nothing for this, and refused the terms demanded, which required them to compensate their bishop for the damage inflicted on him. After some six months wasted in fruitless negotiations the Visitors departed, and it was not till July, 1207, that another commission, offering more favorable conditions, succeeded in effecting a recon-

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which the bishop desired to procure, but the question is merely of archæological interest, for in either case it was equally ineffective.

* Rescript. Heres. Lombard. (Preger, Beiträge, München, 1875, pp. 56–63).—Reinerii Summa (Martene Thesaur. V. 1775).

ciliation which enabled the clergy to return from exile. About the same period Innocent found himself obliged to use persuasion and argument in the endeavor to urge the people of Treviso to expel their heretics. So far from threatening them, he begged them to have faith that their bishop would reform the excesses of the clergy whose evil example had disturbed them. It is easy thus to understand the exulting confidence with which the heretics anticipated the eventual triumph of their creeds, and the despair which led Abbot Joachim of Flora, in expounding the Apocalypse, to see in them the locusts with the power of scorpions who issue from the bottomless pit at the sounding of the fifth trumpet (Rev. IX. 3, 4). These heretics are the Antichrist; they are to grow in power and their king is already chosen, that king of the locusts "whose name in the Hebrew tongue is Abaddon, but in the Greek tongue hath his name Apollyon" (Rev. IX. 11). Resistance to them will be in vain; they are to unite with the Saracens, with whom, in 1195, he says they are already entering into negotiations.*

When Honorius III., in 1220, obtained from Frederic II. the ferocious coronation-edict against heresy, he may well have imagined that the way was open for its immediate suppression. If so, he was not long in discovering his mistake. Whatever professions Frederic might make, or whatever rigor he might exercise in his Sicilian dominions, it was no part of his policy to estrange the Ghibelline leaders, or to strengthen the Guelfic factions in the turbulent little republics which he sought to reduce to subjection. His whole reign was an internecine conflict, open or concealed, with Rome, and he was too much of a free-thinker to have any scruples as to the sources whence he could draw strength for himself or annoyance for his enemy. In central and upper Italy, therefore, his laws were for the most part virtually a dead letter. Already, in 1221, Ezzelin da Romano, the most powerful Ghibelline in the March of Treviso, was complained of for the protection which he afforded to heretics, and his continuing to do so to the end shows that he found it to be good policy. When, in 1227,

* Campi, Dell' Historia Ecclesiastica di Piacenza, P. II. pp. 92 sqq.—Innoc. PP. III. Regest. IX. 131, 166–9; X. 54, 64, 222.—Tocco, L'Heresia nel Medio Evo, pp. 364, 366 (Firenze, 1884).—Cf. Pseudo-Joachim de septem temporibus Ecclesiæ P. V.

Ingheramo da Macerata, the late podestà of Rimini, was persecuted by the citizens because he had delivered for burning as heretics some of their daughters and sisters, and because he had wished to inscribe on their statute-books the constitutions of Frederic, it was not to the emperor that he applied for protection, but to Honorius III.*

Something more than imperial edicts was plainly necessary, and Honorius, in casting around for methods to check the spread of heresy, appointed, in 1224, the Bishops of Brescia and Modena as commissioners with special powers to exterminate the heretics of Lombardy—as inquisitors, in fact, this being one of the steps which gradually led to the establishment of the Inquisition, the usefulness of the Dominicans in this respect not having yet been divined. The Bishop of Modena, however, undertook a mission to convert the pagans of Prussia, and the Bishop of Rimini was substituted in his place. The prelates commenced with Brescia itself, whose prelate doubtless knew where to strike. They ordered the tearing down of certain houses where heretical preachers had been accustomed to hold forth. At once an armed insurrection broke out. The perennial factions of the city took sides. Several churches were burned, and the heretics parodied from them the anathema by casting lighted torches from the windows, and solemnly excommunicating all members of the Church of Rome. It was not until after a severe and prolonged conflict that the Catholics obtained the upper hand, and then the terms prescribed by Honorius were so mild as to indicate that it was not deemed politic to drive the defeated party to despair. All excommunicates were required to apply personally for absolution to the Holy See. The fortified houses of the lords of Gambara, of Ugona, of the Oriani, of the sons of Botatio, who had been the leaders in the troubles, were ordered to be razed to the ground, never to be rebuilt, while other strongholds, which had been defended against the Catholics, were to be cut down one-third or one-half. Beneficed clerks who were children of heretics or of fautors were to be suspended for three years or more as their individual participation in the troubles might indicate. A levy of three hundred and thirty lire was ordered on the clergy of Lombardy and the Trivigiana

* Epistt. Sæcul. XIII. T. I. No. 451 (Mon. Hist. Germ.).—Potthast No. 7672.

to recompense the Catholics for the losses endured in contending with the heretics. So unaccustomed as yet were the Lombards to persecution that even these conditions were deemed too harsh. The city of Milan interceded, and finally even the authorities of Brescia itself urged that moderation would be conducive to peace; and, May 1, 1226, Honorius authorized the bishops to use their discretion in diminishing the penalties. When, however, the Dominican Guala was elected Bishop of Brescia in 1230, he speedily succeeded in introducing in the local statutes the law of Frederic, of March, 1224, which decreed for heretics the stake or loss of the tongue, and he forced the podestà to swear to its execution.*

Gregory IX. was a man of sterner temper than Honorius, and, despite his octogenary age, his advent to the pontificate, in 1227, was the signal for unrelenting war on heresy. Within three weeks of his accession peace was signed, under the auspices of the papacy, between Frederic II. and the Lombard League, with provisions for the suppression of heresy. Gregory immediately, in the most imperious fashion, summoned the Lombards to perform their duty. Hitherto, he told them, all their pretended efforts had been fraudulent. No enforcement of the imperial constitutions had been attempted. If the heretics had at any time been driven away, it was with a secret understanding that they would be allowed to return and dwell in peace. If fines had been inflicted, the money had been covertly refunded. If statutes had been enacted, there was always a reservation by which they were rendered ineffective. Thus heresy had grown and strengthened while the liberties of the Church had been subverted. Heretics had been permitted to preach their doctrines publicly, while ecclesiastics had been outlawed and imprisoned. All this must cease, the provisions of the treaty of peace must be enforced, and, if they continued in their evil courses, the Holy See would find means to coerce them in their perversity.†

These were brave words, though the political condition of Lombardy rendered them ineffective. Nearer home, however, Gregory had fairer opportunity of enforcing his will, and we have

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* Epistt. Sæc. XIII. T. I. No. 264–66, 275, 295 (Mon. Hist. Germ.). — Havet, Bibl. de l'École des Chartes, 1880, p. 602.

† Epistt. Sæc. XIII. T. I. No. 355.

already seen how promptly he recognized the utility of the Order of Dominic and laid the foundations of the Inquisition by his tentative action in Florence. While this was taking shape his zeal was stimulated by the discovery, in 1231, that in Rome itself heresy had become so bold that it ventured to assert itself openly, and that many priests and other ecclesiastics had been converted. Probably the first *auto de fé* on record was that held by the Senator Annibaldo at the portal of Santa Maria Maggiore, when these unfortunates were burned or condemned to perpetual prison, and Gregory took advantage of the occasion to issue the decretal which became the basis of inquisitorial procedure, and to procure the enactment of severe secular laws in the name of the senator. The details I have already given (Vol. I. p. 325), and they need not be repeated here; but Gregory did not content himself with what he thus accomplished in Rome. His aid just then was desirable to Frederic II. in his Lombard complications, and to Gregory's urgency may doubtless be attributed the severe legislation of the Sicilian Constitutions, issued about this time, and the Ravenna decrees of 1232. Shortly afterwards, indeed, we find Frederic writing to him that they are like father and son; that they should sharpen the spiritual and temporal swords respectively committed to them against heretics and rebels, without wasting effort on sophistry, for if time be spent in disputation nature will succumb to disease. It is not probable that Gregory counted much on the zeal of the emperor, but he sent the edict of Annibaldo to Milan, with instructions that it be adopted and enforced there. Already, in 1228, his legate, Goffredo, Cardinal of San Marco, had obtained of the Milanese the enactment of a law by which the houses of heretics were to be destroyed, and the secular authorities were required to put to death within ten days all who were condemned by the Church; but thus far no executions seem to have taken place under it.*

It was now that Gregory, seeing the futility of all efforts thus far save those which the Dominicans were making in Florence,

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* Raynald. Annal. ann. 1231, No. 13 - 18. — Constit. Sicular. Lib. I. Tit. i. — Rich. S. Germ. Chron. (Muratori, S. R. I. VII. 1026). — Vit. Gregor. PP. IX. (Ib. III. 578).—Hist. Diplom. Frid. II. T. IV. pp. 299–300, 409–11.—Verri, Storia di Milano, I. 242.—Bern. Corio, Hist. Milanese, ann. 1228.

hit upon the final and successful experiment of confiding to the Order the suppression of heresy as part of their regular duties. A fresh impulse was felt all along the line. The Church suddenly found that it could count upon an unexpected reserve of enthusiasm, boundless and exhaustless, despising danger and reckless of consequences, which in the end could hardly fail to triumph. A new class of men now appears upon the scene—San Piero Martire, Giovanni da Vicenza, Rolando da Cremona, Rainerio Saccone — worthy to rank with their brethren in Languedoc, who devoted themselves to what they held to be their duty with a singleness of purpose which must command respect, however repulsive their labors may seem to us. On one hand these men had an easier task than their Western colleagues, for they had not to contend with the jealousy, or submit to the control, of the bishops. The independence of the Italian episcopate had been broken down in the eleventh century. Besides, the bishops naturally belonged to the Guelfic faction, and welcomed any allies who promised to aid them in crushing the antagonistic party in their turbulent cities. On the other hand, the political dissensions which raged everywhere with savage ferocity increased enormously the difficulties and dangers of the task.

In Italy, as in France, the organization of the Inquisition was gradual. It advanced step by step, the earlier proceedings, as we have seen both in Florence and Toulouse, being characterized by little regularity. As the tribunal by degrees assumed shape, a definite code of procedure was established which was virtually the same everywhere, except with regard to the power of confiscation, the application of the profits of persecution, and the acquittal of the innocent. To these attention has already been called, and they need not detain us further. The problems which the founders of the Inquisition had to meet in Italy, and the methods in which these were met, can best be illustrated by a rapid glance at what remains to us of the careers of some of the earnest men who undertook the apparently hopeless task.

The earliest name I have met with bearing the title of Inquisitor of Lombardy is that of a Frà Alberico in 1232. The Cardinal Legate Goffredo, whom we have seen busy in Milan, undertook to quiet civil strife in Bergamo, with the consent of all factions, by appointing as podestà Pier Torriani of Milan; and at the same

time he seized the opportunity to make a raid on heretics, a number of whom he cast into prison. No sooner was his back turned than the citizens refused to receive his podestà, elected in his place a certain R. di Madello, and, what was worse, set at liberty the captive heretics. Thereupon the legate placed the city under interdict, which brought the people to their senses, and they agreed to stand to the mandate of the Church. Gregory accordingly, November 3, 1232, instructed Alberico, as Inquisitor of Lombardy, to reconcile the city on condition that the people refund to Pier Torriani all his expenses and give sufficient security to exterminate heresy. Here we see how intimate were the relations between politics and heresy, and what difficulties the alliance threw in the way of persecution.*

Frà Rolando da Cremona we have already met as professor in the inchoate University of Toulouse, and we have seen how rigid and unbending was his zeal. Hardly had he quitted Languedoc when we find him, in 1233, already actively at work in the congenial duty of suppressing heresy at Piacenza. The twenty-five years which had elapsed since the Piacenzans had shown themselves so indifferent to their spiritual privileges had not greatly increased their respect for orthodoxy. Rolando assembled them, preached to them, and then ordered the podestà to expel the heretics. The result did not correspond to his expectations. With the connivance of the podestà, the heretics and their friends arose and made a general onslaught on the clergy, including the bishop and the friars, in which a monk of San Sabino was slain and Rolando and some of his comrades were wounded. The Dominicans carried Rolando half-dead from the city, which was placed under interdict by the bishop. Then a revulsion of feeling occurred; Rolando was asked to return, and full satisfaction was promised. He prudently kept away, but ordered the imprisonment of the podestà and twenty-four others till the pleasure of the pope should be known. Gregory took advantage of the opportunity by sending thither the Archdeacon of Novara, with instructions to place the city under control of the orthodox party, taking ample security that the heretics should be suppressed; but this arrangement did not please the citizens, who rose again and liberated the

* Ripoll I. 41.

prisoners. Sharp as was this experience, it did not dull the edge of Rolando's zeal, for the next year we find him at work in the Milanese, where he received rough treatment at the hands of Lantelmo, a noble who sheltered heretics in his castle near Lodi. For this Lantelmo was condemned to be led through the streets, stripped and with a halter around his neck, to Rolando's presence, and there to accept such penance as the friar, at command of the pope, might enjoin on him. A month later we hear of his seizing two Florentine merchants, Feriabente and Capso, with all their goods. They evidently were persons of importance, for Gregory ordered their release in view of having received bail for them in the enormous sum of two thousand silver marks.*

During this transition period, while the Inquisition was slowly taking shape, one of the most notable of the Dominicans engaged in the work of persecution was Giovanni Schio da Vicenza. I have alluded in a previous chapter to his marvellous career as a pacificator, and it may perhaps not be unjust to assume that his motive in employing his unequalled eloquence in harmonizing discordant factions was not only the Christian desire for peace, but also to remove the obstruction to persecution caused by perpetual strife, for in almost all these movements we may trace the connection between heresy and politics. After his wonderful success at Bologna, Gregory urged him to undertake a similar mission to Florence, where constant civic war was accompanied by recrudescence of heresy. In spite of the efforts of the embryonic Inquisition there, heresy was undisguised, and the ministers of Christ were openly opposed and ridiculed. Gregory assumed that Giovanni acted under the direct inspiration of the Holy Ghost, and did not venture to send him orders, but only requests. He was, like all his colleagues, popularly regarded as a thaumaturgist, and

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* Epistt. Sæc. XIII. T. I. No. 559. — Raynald. ann. 1233, No. 40. — Ripoll I. 69, 71.

Probably about this period may have occurred the incident related of Moneta, the disciple of St. Dominic, whose efforts against the heretics of Lombardy are said to have aroused their animosity to the point that a noble named Peraldo hired an assassin to despatch him. Word was brought to Moneta, who seized a crucifix and assembled a band of the faithful, with whom he captured Peraldo and the bravo, delivered them to the secular authorities, and they were both burned alive.—Ricchini Vit. Monetæ, p. viii.

stories were told of his crossing rivers dry-shod, and causing vultures to descend from on high at his simple command. The Bolognese were so loath to part with him that they used gentle violence to retain him, and only let him go after Gregory had ordered their city laid under interdict, and had threatened to deprive of its episcopal dignity any place which should detain him against his will. After completely succeeding in his mission to Florence he was despatched on a similar one to Lombardy. The League, which had been so efficient an instrument in curbing the imperial power, was breaking up. Fears were entertained that Frederic would soon return from Germany with an army, and a portion of the Lombard cities and nobles were disposed to invite him. Some countervailing influence was required, and nothing more effective than Giovanni's eloquence could be resorted to. At Padua, Treviso, Conigliano, Ceneda, Oderzo, Belluno, and Feltre he preached on the text "Blessed are the feet of the bearers of peace" with such effect that even the terrible Ezzelin da Romano is said to have twice burst into tears. The whole land was pacified, save the ancestral quarrel between Ezzelin and the counts of Campo San Piero, which unpardonable wrongs had rendered implacable. After a visit to Mantua, the apostle of peace went to Verona, then besieged by an army of Mantuans, Bolognese, Brescians, and Faenzans, where he persuaded the assailants to withdraw, and the Veronese, in gratitude, proclaimed him podestà by acclamation. He promptly made use of the position to burn in the market-place some sixty heretics of both sexes, belonging to the noblest families of the city. Then he summoned to a great assembly in a plain hard by all the confederate cities and nobles. Obedient to his call there came the Patriarch of Aquileia, the Bishops of Mantua, Brescia, Bologna, Modena, Reggio, Treviso, Vicenza, Padua, and Ceneda, Ezzelin da Romano, the Marquis of Este, who was Lord of Mantua, the Count of San Bonifacio, who ruled Ferrara, and delegates from all the cities, with their carrochi. The multitude was diversely estimated at from forty thousand to five hundred thousand souls, who were wrought by his eloquence to the utmost enthusiasm of mutual forgiveness. After denouncing as rebels and enemies of the Church all who adhered to Frederic or invited him to Italy, Giovanni induced his auditors to swear to accept such settlement of their quarrels as he should

dictate, and when he announced the terms they unanimously signed the treaty.*

So great became his reputation that Gregory IX. was seriously disturbed at a report that Giovanni contemplated making himself pope. A consistory was assembled to consider the advisability of excommunicating him, and that step would have been taken had not the Bishop of Modena sworn upon a missal that he had once seen an angel descend from heaven while Giovanni was speaking, and place a golden cross upon his brow. A confidential mission was sent to Bologna to investigate his career there, which returned with authentic accounts of numberless miracles performed by him, among them no less than ten resuscitations of the dead. So holy a man could not well be thrust from the pale of the Church, and the project was abandoned.†

Meanwhile he had visited his native place, Vicenza, on invitation of the bishop, and had so impressed the people that they gave him their statutes to revise at his pleasure, and proclaimed him duke, marquis, and count of the city—titles which belonged to the bishop, who also offered to make over the episcopate to him. As at Verona, he used his power to burn a number of heretics. During his absence at Verona, Uguccione Pileo, an enemy of the Schia family, induced the people to revolt, when Giovanni hastened back and suppressed the rebellion, putting to death, with torture, a number of citizens, who are charitably supposed to have been heretics. Uguccione brought up reinforcements; a fierce battle was fought in the streets, and Giovanni was worsted and taken prisoner. A letter of condolence, addressed to him in prison, by Gregory, under date of September 22, 1233, serves to fix the date of this, and to show how powerless was the papacy to protect its agents in the fierce dissensions of the period. Giovanni was obliged to ransom himself and return to Verona, and thence to Bologna. The peace which he had effected was of short duration. The chronic wars broke out afresh, and Giovanni, at the instance of Gregory, came again to pacify them. In this he succeeded, but no sooner was his back turned than hostilities were renewed.

* Ripoll I. 48, 56–9.—Matt. Paris. ann. 1238, p. 320.—Chron. Veronens. ann. 1233 (Muratori, S. R. I. VIII. 67).—Gerardi Maurisii Hist. (Ib. pp. 37–9).—Barbarano de' Mironi, Hist. Eccles. di Vicenza, II. 79–84.

† Barbarano de' Mironi, op. cit. II. 90–1.

Gregory made a third attempt, through the Bishops of Reggio and Treviso, who induced the warring factions to lay down their arms for a while; but the main object, of presenting a united front and keeping Frederic out of Italy, was lost. Ezzelin and a number of the cities urged his coming, and the decisive victory of Cortenuova, in November, 1237, dissolved the Lombard League which had so long held the empire in check, and made him master of Lombardy.*

During all this time Gregory had been untiring in his efforts to subdue heresy in Lombardy, undeterred by the disheartening lack of result. All his legates to that province were duly instructed to regard this as one of their chief duties. In May, 1236, he had even attempted to establish there a rudimentary Inquisition, but, in the existing condition of the land, even he could hardly have expected to accomplish anything. Frederic came with professions that the extirpation of heresy was one of the motives impelling him to the enterprise; and when Gregory reproached him with suppressing the preaching of the friars and thus favoring heresy, he astutely retorted, with a reference to Giovanni, by alluding to those who, under pretext of making war on heresy, were busy in establishing themselves as potentates, and were taking castles as security from those suspect in faith. Gregory, in reply, could only disclaim all responsibility for the acts of the adventurous friar. Yet Gregory himself, when it suited his Lombard policy, did not hesitate to relax his severity against the heretics, and it became a popular cry in Germany that he had been bribed with their gold.†

For some years Giovanni Schio led a comparatively quiet existence in Bologna, but in 1247, by which time the Inquisition was fairly taking shape, Innocent IV. appointed him perpetual inquisitor throughout Lombardy, arming him with full powers and releasing him from all subjection or accountability to the Dominican general or provincial. In the existing condition of the north of Italy the commission was virtually inoperative, and its only inter-

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* Ripoll I. 40-1.—Barbarano de' Mironi op. cit. II. 76, 91-2.

† Greg. PP. IX. Bull. *Ille humani generis*, 20 Maii, 1236 (Ripoll I. 95, gives this in 1237, probably a reissue).—Epistt. Sæcul. XIII. T. I. No. 693, 700, 702, 704.—Hist. Diplom. Frid. II. T. IV. P. II. pp. 907-8.—Schmidt, Cathares, I. 161.

est lies in its terms, which show that up to this time there was no organized Inquisition there. We hear nothing further of his activity, even after the death of Frederic, in 1250, until, in 1256, the long-delayed crusade was undertaken against Ezzelin da Romano. By his fiery eloquence he raised in Bologna a considerable force of crusaders, at whose head he marched against the tyrant of the Trevisan, but, disgusted with the quarrels of the leaders, he returned to Bologna before the final catastrophe, and he is supposed to have perished, in 1265, in the crusade against Manfred, when there was a contingent of ten thousand Bolognese in the army of Charles of Anjou.*

Yet the most noteworthy in all respects of the dauntless zealots who fought the seemingly desperate battle against heresy was Piero da Verona, better known as St. Peter Martyr. Born at Verona in 1203 or 1206, of a heretic family, his legend relates that he was divinely led to recognize their errors. When a schoolboy of only seven years of age his uncle chanced to ask him what he learned, and he repeated the orthodox creed. His uncle thereupon told him he must not say that God created the heaven and the earth, for he was not the creator of the visible universe; but the child, filled with the Holy Ghost, overcame his elder in argument, who thereupon urged the parents to remove him from school, but the father, who hoped to see him become a leader of the sect, allowed him to complete his education. His orthodox zeal grew with his growth, and in 1221 he entered the Dominican Order. His confessor testified that he never committed a mortal sin, and the bull of his canonization bears emphatic evidence to his humility, his meek obedience, his sweet benignity, his exhaustless compassion, his unfailing patience, his wonderful charity, his passionate supplications to God for martyrdom, and the innumerable miracles which illustrated his life.†

Before the Dominicans were armed with the power of persecution Piero earnestly devoted himself to the original function of the Order, that of controverting heresy, and preaching against heretics. In this the success of the young apostle was marvellously aided by his thaumaturgic development. At Ravenna,

* Ripoll I. 174-5.—Barbarano de' Mironi, op. cit. II. 94-6.

† Jac. de Voragine Legenda Aurea s. v.—Mag. Bull. Rom. I. 94.

Mantua, Venice, Milan, and other places, numerous wonders are related of his performance. Thus, at Cesena, the success of his efforts at conversion irritated the heretics, who, on one occasion, interrupted his preaching in the public square by volleys of filth and stones discharged from a house near by. He several times mildly entreated them to desist, but in vain, when, inspired by divine wrath, he launched a terrible imprecation against them. Instantly the house crumbled in ruin, burying the sacrilegious wretches, nor could it be rebuilt until long afterwards.*

When the Dominicans were charged with the duty of persecution his earnest zeal naturally caused him to be selected as one of the earliest laborers. In 1233 he was sent to Milan, where, thus far, all the efforts of papal missives and legates had proved ineffectual to rouse the authorities and the citizens to undertake the holy work. The laws which, in 1228, Cardinal Goffredo had inscribed on the statute-book had remained a dead letter. All this was changed when Piero da Verona made his influence felt. Not only did he cause Gregory's legislation of 1231 to be adopted in the municipal law, but he stimulated the podestà, Oldrado da Tresseno, and the archbishop, Enrico da Settala, to work in earnest. A number of heretics were burned, who were probably the first victims of fanaticism which Milan had seen since the time of the Cathari of Monforte. So strong was the impression made by these executions that they earned for the podestà Oldrado the honor of an equestrian portrait in bas-relief, with the inscription, "*Qui solium struxit, Catharos ut debuit uxit,*" which is still to be seen adorning the wall of the Sala del Consiglio, now the Archivio pubblico. It fared worse with the archbishop, who was rendered so unpopular that he was banished, for which the magistracy was duly excommunicated; but he, too, had posthumous reward, for his tomb bore the legend "*instituto inquisitore jugulavit hæreses.*" Piero likewise founded in Milan a company, or association, for the suppression of heresy, which was taken under immediate papal protection—the model of that which ten years later did such bloody work in Florence. We may safely assume that his fiery activity continued unabated, though we hear nothing of him until 1242, when we again find him in Milan so vigorously at work that

* Campana, Storia di San Piero-Martire, Milano, 1741, pp. 28–39.

he is said to have caused a sedition which nearly ruined the city.*

Two years later we meet him fighting heresy in Florence. That city, it will be remembered, was the subject of the earliest inquisitorial experiments, Frà Giovanni di Salerno, Prior of Santa Maria Novella, having been commissioned to prosecute heretics in 1228, and being succeeded after his death, in 1230, by Frà Aldobrandini Cavalcante, and about 1241 by Frà Ruggieri Calcagni. The first two of these accomplished little, being, in fact, rather preachers than inquisitors. The heretics were protected by the Ghibelline faction and the partisans of Frederic II., and heresy, far from decreasing, spread rapidly in spite of occasional burnings. When the Catharan Bishop Paternon fled, his position was successively held by three others, Torsello, Brunnetto, and Giacopo da Montefiascone. Many of the most powerful families were heretics or open defenders of heresy—the Baroni, Pulci, Cipriani, Cavalcanti, Saraceni, and Malpresa. The Baroni built a stronghold at San Gaggio, beyond the walls, which served as a refuge for the Perfected, and there were plenty of houses in the town where they could hold their conventicles in safety. The Cipriani had two palaces, one at Mugnone and the other in Florence, where troops of Cathari assembled under the leadership of a heresiarch named Marchisiano, and there were great schools at Poggibonsi, Pian di Cascia, and Ponte a Sieve.†

The whole of central Italy, in fact, was almost as deeply infected with heresy as Lombardy, and little had as yet been done to purify it. That as late as 1235 no comprehensive attempt had been made to establish the Inquisition is shown by a papal brief addressed in that year to the Dominicans of Viterbo, empowering them, in all the dioceses of Tuscany, Viterbo, Orta, Balneoreggio, Castro, Soano, Amerino, and Narni, to absolve heretics not publicly defamed for heresy, who should spontaneously accuse themselves, provided the bishops assented and sufficient bail were given; and the bishops were ordered to co-operate. Heretics not thus voluntarily confessing were to be dealt with according to the papal statutes.

* Bern. Corio, Hist. Milanese, ann. 1233, 1242.—Verri, Storia di Milano, I. 241-3.—Ripoll I. 65.—Annal. Mediolanens. c. xiv. (Muratori, S. R. I. XVI. 651).—Sarpi, Discorso (Ed. Helmstad. 1763, IV. 21).

† Lami, Antichità Toscane, pp. 497, 500.

At Viterbo dwelt Giovanni da Benevento, who was called the pope of the heretics, but it was not until Gregory went thither in 1237 and undertook the task of purifying the place himself that any efficient action was taken; he condemned Giovanni and many other heretics, and ordered the palaces of some of the noblest families of the city to be torn down, as having afforded refuge to heretics. At the same time the Bishop of Padua was urged to persevere in the good work, and at Parma the Knights of Jesus Christ were instituted with the same object by Jordan, the Dominican general. All this indicates the commencement of systematic operations, and the pressure grew stronger year by year. Under the energetic management of Ruggieri Calcagni the Florentine Inquisition rapidly took shape and executions became frequent, while in the confessions of the accused allusions are made to heretics burned elsewhere, showing that persecution was becoming active wherever political conditions rendered it possible. Thus in a confession of 1244 there is a reference to two, Maffeo and Martello, burned not long before at Pisa.*

In Florence Frà Ruggieri's vigor was reducing the heretics to desperation. Each trial revealed fresh names, and as the circle spread the prosecutions became more numerous and terrible. The Signoria was coerced by papal letters to enforce the citations of the inquisitor, and as the prisoners multiplied and their depositions were taken, fully a third of the citizens, including many nobles, were found to be involved. Excited by the magnitude of the developments, Ruggieri determined to strike at the chiefs, and, invoking the aid of the Priors of the Arts, he seized a number of them and condemned to the stake those who proved contumacious. The time had evidently come when they must choose between open resistance and destruction. The Baroni assembled their followers, broke open the jails, and carried off the prisoners, who were distributed through various strongholds in the Florentine territory, where they continued to preach and spread their doctrines.

Matters were rapidly approaching a crisis. On the one hand it was impossible for so large a body as the heretics to permit themselves to be slaughtered in detail with impunity, to say noth-

* Ripoll I. 79–80.—Raynald. ann. 1235, No. 15.—Vit. Gregor. PP. IX. (Muratori, S. R. I. III. 581).—Lami op. cit. pp. 554, 557.

ing of the spoliation and gratification of private feuds which could not fail to involve the innocent with the guilty in a persecution of such extent so recklessly pursued. On the other hand, the persecutors were maddened with excitement and with the prospects of at last triumphing over the adversaries who had so long defied them. Innocent IV. wrote pressingly to the Signoria commanding energetic support for the inquisitor, and he summoned from Lombardy Piero da Verona to lend his aid in the approaching struggle. Towards the end of 1244 Piero hastened to the conflict, and his eloquence drew such crowds that the Piazza di Santa Maria Novella had to be enlarged to accommodate the multitude. He utilized the enthusiasm by enrolling the orthodox nobles in a guard to protect the Dominicans, and formed a military order under the name of the Società de' Capitani di Santa Maria, uniformed in a white doublet with a red cross, and these led the organization known as the Compagnia della Fede, sworn to defend the Inquisition at all hazards, under privileges granted by the Holy See. Thus encouraged and supported, Ruggieri pushed forward the trials, and numbers of victims were burned. This was a challenge which the heretics could only decline under pain of annihilation. They likewise organized under the lead of the Baroni, and it was not difficult to persuade the podestà, Ser Pace di Pesannola of Bergamo, recently appointed by Frederic II., that the interest of his master required him to protect them. Thus the perennial quarrel between the Church and the empire filled the streets of Florence with bloodshed under the banners of orthodoxy and heterodoxy.

Ruggieri provoked the conflict without flinching. He cited the Baroni before him, and when they contemptuously refused to appear he procured a special mandate from Innocent IV. This they obeyed with the utmost docility, about August 1, 1245, swearing to stand to the mandates of the Church, and depositing one thousand lire as security; but when they understood that he was about to render sentence against them, they appealed to the podestà. Ser Pace thereupon sent his officers, August 12, to Ruggieri, ordering him to annul the proceedings as contrary to the mandate of the emperor, to return the money taken as bail, and, in case of contumacy, to appear the next day before the podestà under penalty of a thousand marks. Ruggieri's only notice of this was a

summons the next day to Ser Pace to appear before the Inquisition as suspect of heresy and fautorship, under pain of forfeiture of office. The fervid rhetoric of Frà Piero poured oil upon the flames, and the city found itself divided into two factions, not unequally matched and eager to fly at each other. Taking advantage of the assembling of the faithful in the churches on a feast-day, the podestà sounded the tocsin, and many unarmed Catholics are said to have been slaughtered before the altars. Then on St. Bartholomew's day (August 24) Ruggieri and Bishop Ardingho, in the Piazza di S. Maria Novella, publicly read a sentence condemning the Baroni, confiscating their possessions, and ordering their castles and palaces to be destroyed, which naturally led to a bloody collision between the factions. Piero then placed himself at the head of the Compagnia della Fede, carrying a standard like the other captains, among whom the de' Rossi were the most conspicuous. Under his leadership two murderous battles were fought, one at the Croce al Trebbio and the other in the Piazza di S. Felicità, in both of which the heretics were utterly routed. Monuments still mark the scene of these victories; and, until recent times, the banner which San Piero gave to the de' Rossi was still carried by the Compagnia di San Piero Martire on the celebration of his birthday, April 29, while the one which he bore himself is preserved among the relics of Santa Maria Novella and is publicly displayed on his feast-day.

Thus was destroyed in Florence the power of the heretics and of the Ghibellines. Ruggieri, for his steadfast courage, was rewarded, before the close of 1245, with the bishopric of Castro, and was succeeded as inquisitor by San Piero himself, whose indefatigable zeal allowed the heretics no rest. Many of them, recognizing the futility of further resistance, abandoned their errors; others fled, and when Piero left Florence he could boast that heresy was conquered and the Inquisition established on an impregnable basis; though Rainerio's estimate of the Florentine Cathari, some years later, shows that it still had an ample harvest to reward its labors.*

* Lami, op. cit. pp. 560–85.—Lami's account of these troubles, based upon original sources, is so complete that I have followed it without reference to other authorities. Most of the documents are still in the Archives of Florence (Archiv. Diplom., Prov. S. Maria Novella, ann. 1245).

The Compagnia della Fede, known subsequently as del Bigallo, was changed

While Ruggieri, in the summer of 1245, was precipitating the conflict in Florence, Innocent IV., in the Council of Lyons, was passing sentence of dethronement on Frederic II. and trying to find some aspirant hardy enough to accept the imperial crown. Frederic laughed the sentence to scorn and easily disposed of his would-be competitors, but he was obliged to struggle hard to maintain his Italian possessions, and his death, December 13, 1250, relieved the papacy from the most formidable antagonist which its ambitious designs had ever encountered. Skilled equally in the arts of war and peace, untiring in activity, dismayed by no reverses, intellectually far in advance of his age, and encumbered with few scruples, Frederic's brilliant abilities and indomitable courage had been the one obstacle in the papal path towards domination over Italy and the foundation on that basis of a universal theocratic monarchy. His son, Conrad IV., a youth of twenty-one, was scarce to be dreaded in comparison, though Innocent cautiously waited for a while in Lyons before venturing into Italy. After reaching Genoa, June 8, 1251, he addressed to Piero da Verona and Viviano da Bergamo a brief which shows that the intervening six months had not sufficed to dull the sense of rejoicing at the death of his great opponent, and that no more time was to be lost in taking full advantage of the opportunity. A dithyrambic burst of exultation is followed by the declaration that thanks to God for this inestimable mercy are to be rendered not so much in words as in deeds, and of these the most acceptable is the purification of the faith. Frederic's favor towards heretics had long impeded the operations of the Inquisition throughout Italy, and now that he is removed it is to be put into action everywhere with all possible vigor. Inquisitors are to be sent into all parts of Lombardy; Piero and Viviano are ordered to proceed forthwith to Cremona, armed with all necessary powers; rulers who do not zealously assist them will be coerced with the spiritual sword, and, if this proves insufficient, Christendom will be aroused to destroy them in a crusade. This bull was followed by a rapid succession of others addressed to the Dominican provincials and to potentates, ordering strenuous co-operation, and the

in the middle of the fifteenth century, by Sant' Antonino, Prior of San Marco, into a charitable association for the care of orphans (Villari, Storia di Girol. Savonarola, Firenze, 1887, I. 37).

inscription in all local statutes of the constitutions of the dead emperor and of the popes—bulls issued in such haste that, June 13, 1252, the pope was obliged to explain that the blunders and omissions arising from the hurried work of the scribes are not to invalidate them. The whole was crowned, May 15, 1252, by the issue of the bull *Ad extirpanda*, of which I have given an abstract in a former chapter. This sought to render the civil power completely subservient to the Inquisition, and prescribed the extirpation of heresy as the chief duty of the State.*

Innocent's mandate probably found Piero at the convent of San Giovanni in Canali at Piacenza, of which he was prior in 1250, and where his austerities so impressed his brethren that they begged his friend, Matteo da Correggio, pretor of the city, to induce him to moderate them, lest the flesh which he so persistently macerated should give way under the ardent spirit within. If, in fact, we are to believe the statement that he habitually never broke his fast before sunset, and that he passed most of the night in prayer, restricting his sleep to the least that was compatible with life, his career becomes easily intelligible. Deficiency of nourishment, replaced by unceasing and unnatural nervous exaltation, must have rendered him virtually an irresponsible being.†

We have no details of what he accomplished as inquisitor at Cremona, or at Milan to which he was afterwards transferred. It is presumable, however, that his relentless activity fully responded to the expectations of those who had selected him as the fittest instrument to take advantage, in the headquarters of heresy, of the unexpected opportunity to visit the now defenceless heretics with the wrath of God. Within nine months after he had been summoned to action he had already become such an object of terror that in despair a plot was laid for his assassination. The matter was intrusted to Stefano Confaloniero, a noble of Aliate, and the hire of the assassins, twenty-five lire, was furnished by Guidotto Sachella. The week before Easter (March 23–30), 1252, Stefano proposed the murder to Manfredo Clitoro of Giussano, who agreed to do it, and associated with him Carino da Balsamo. At the same time Giacopo della Chiusa undertook to go to Pavia

* Ripoll I. 192–3, 199, 205, 208-14, 231.—Berger, Registres d' Innoc. IV. No. 5065, 5345.—Mag. Bull. Rom. I. 91.

† Campana, Vita di San Piero-Martire, pp. 100–1.

to slay Rainerio Saccone, and made the journey, but failed to accomplish his mission. The other conspirators were more successful. Frà Piero at that time was Prior of Como, and went thither to pass his Easter. He was obliged to return to Milan on Low Sunday, April 7, as on that day expired the term of fifteen days which he had assigned to a contumacious heretic. During Easter week Stefano, with Manfredo and Carino, went to Como and awaited Piero's departure. It shows the fearlessness and the austerity of the man that he set out on foot, April 7, though weakened with a quartain fever, and accompanied only by a single friar, Domenico. Manfredo and Carino followed them as far as Barlassina, and set upon them in a lonely spot. Carino acted as executioner, laying open Piero's head with a single blow, mortally wounding Domenico, and then, finding that Piero still breathed, plunging a dagger in his breast. Some passing travellers carried the body of the martyr to the convent of San Sempliciano, while Domenico was conveyed to Meda, where he died five days afterwards. As for the conspirators, I have already alluded to the strange delay which postponed for forty-three years the final sentence of Stefano Confaloniero, and to the repentance and beatification of Carino, who became St. Acerinus. Daniele da Giussano, another of the confederates, also repented and entered the Dominican Order. Giacopo della Chiusa seems to have escaped, and Manfredo and a certain Tommaso were captured and confessed. Manfredo admitted that he had been concerned in the murder of two other inquisitors, Frà Pier di Bracciano and Frà Catalano, both Franciscans, at Ombraida in Lombardy. He was simply ordered to present himself to the pope for judgment, but in place of obeying he very naturally fled, and there is no record of his subsequent fate. No one seems to have been put to death, and common report asserted that the assassins found a safe refuge among the Waldenses of the Alpine valleys, which is not improbable.*

* Bern. Corio, Hist. Milanese, ann. 1252.—Gualvaneo Flamma c. 286 (Muratori, S. R. I. XI. 684).—Ripoll I. 224, 244, 389.—Campana, Vita di San Piero-Martire, pp. 118–20, 125, 128–9, 132–33.—Annal. Mediolanens. c. 24 (Muratori, XVI. 656).—Tamburini, Storia dell' Inquisizione, I. 492–502.—Wadding Annal. ann. 1284, No. 3.—Rodulphii Hist. Seraph. Relig. Lib. I. fol. 126.—Raynald. Annal. ann. 1403, No. 24.

There is a Daniele da Giussano who appears as inquisitor in Lombardy in

In fact, the Church made much shrewder use of the martyrdom than the exaction of vulgar vengeance. Its whole machinery was set to work at once to impress the populations with the sanctity of the martyr. Miracles multiplied around him. When the General Chapter of the Order assembled at Bologna in May, Innocent wrote to them in terms of the most extravagant hyperbole respecting him, and urged them to fresh exertions in the cause of Christ. By August 31, he ordered the commencement of proceedings of canonization, and before a year had elapsed, March 25, 1253, the bull of canonization was issued—I believe the most speedy creation of a saint on record. It would be difficult to exaggerate the cult which developed itself around the martyr. Before the century was out, Giacopo di Voragine compared his martyrdom with that of Christ, establishing many similitudes between them, and he assures us that the disappearance of heresy in the Milanese was owing to the merits of the saint—indeed, already, in the bull of canonization it is asserted that many heretics had been converted by his death and miracles. It is true that when, in 1291, Frà Tommaso d'Aversa, a Dominican of Naples, in a sermon on the feast of San Piero dared to compare his wounds with the stigmata of St. Francis—saying that the former were the signs of the living God and not of the dead, while the latter were those of the dead God and not of the living—it is true that the expression was thought to savor of blasphemy. The existing pope, Nicholas IV., chanced to be a Franciscan, so Tommaso was summoned before him, forced to confess, and was sent back to his provincial with orders to subject him to a punishment that would prevent a repetition of the sacrilege. Yet successive popes encouraged the cult of San Piero until Sixtus V., in 1586, designated him as the second head of the Inquisition after St. Dominic, and as its first martyr, and in 1588 granted plenary indulgence to all who should visit for devotion the Dominican churches on the days of St. Dominic, Peter Martyr, and Catharine of Siena. In the seventeenth century an enthusiastic Spaniard declared that he was crowned with three crowns, "*como Emperador de Martyres.*" In 1373, Gregory XI. granted permission to erect a small oratory on the spot of

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1279 (Ripoll I. 567), and who may very probably be the same as the accomplice in the murder.

the murder, which grew to be a magnificent church with a splendid convent, through the offerings of the innumerable pilgrims who flocked thither. The authenticity of the martyr's sanctity was proved when, in 1340, eighty-seven years after death, the body was translated to a tomb of marvellous workmanship, and was found in a perfect state of preservation; and when the sepulchre was opened in 1736 it was still found uncorrupted, with wounds corresponding exactly to those described in the annals.*

The enthusiasm excited by the career of San Piero was turned to practical account by the organization in most of the Italian cities of *Crocesegnati*, composed of the principal cavaliers, who swore to defend and assist the inquisitors at peril of their lives, and to devote person and property to the extermination of heretics, for which service they received plenary remission of all their sins. These associations were wont to assemble on the feast of San Piero in the Dominican churches, which were the seats of the Inquisition, and hold aloft their drawn swords during the reading of the Gospel, in testimony of their readiness to crush heresy with force. They continued to exist until the last century, and Frà Pier-Tommaso Campana, who was inquisitor at Crema, relates with pride how, in 1738, he presided over such a ceremony in Milan. The Crocesegnati, moreover, furnished material support to the in-

* Ripoll I. 212.—Campana, op. cit. 126, 149, 151, 257, 259, 262-3.—Jac. de Vorag. Legenda Aurea s. v.—Mag. Bull. Roman. I. 94.—Wadding Annal. ann. 1291, No. 24.—Juan de Mata, Santoral de los dos Santos, Barcelona, 1637, fol. 28.—Gualvaneo Flamma, Opusc. (Muratori, S. R. I. XII. 1035).

Frà Tommaso's disgrace was not perpetual. We shall meet him hereafter as inquisitor, alternately protecting and persecuting the Spiritual Franciscans. If the accounts of the latter be true, his death in 1306 was a visitation of God for the frightful cruelties inflicted upon them (Hist. Tribulationum, *ap.* Archiv für Litteratur- und Kirchengeschichte, 1886, p. 326).

The question of the Stigmata was always a burning one between the two Orders. The Dominicans at first refused to accept the miracle until forced to submit by energetic papal measures (Chron. Glassberger ann. 1237—Analecta Franciscana II. 58, Quaracchi, 1887), and when at length they claimed the same honor for St. Catharine of Siena the Franciscans were equally incredulous. In 1473, at Trapani, the two Orders preached against each other on this subject with so much violence as to raise great disorders between their respective partisans among the laity, until the Viceroy of Sicily was obliged to interfere (La Mantia, L'Inquisizione in Sicilia, Torino, 1886, p. 17); and, as already mentioned, Sixtus IV., in 1475, prohibited the ascription of the Stigmata to St. Catharine.

quisitors, supplying them when necessary with both men and money for the performance of their functions. In fact, they were subject to excommunication if they refused to give money when called upon by the inquisitor. It can readily be conceived how greatly the effectiveness of the Inquisition was increased by such an organization.*

If the heretics had hoped to strike their persecutors with terror they were short-sighted. The fanaticism of the Order of Dominic furnished an unfailing supply of men eager for the crown of martyrdom and unsparing in their efforts to earn it. Hardly were the splendid obsequies of San Piero completed when his place was occupied by Guido da Sesto and Rainerio Saccone da Vicenza. The latter had been high in the Catharan Church, when, divinely illuminated as to his errors, he was converted and expiated his past life by entering the strict Dominican Order. It was possibly in his favor that in 1246 Innocent IV. authorized the Dominican prior at Milan to admit repentant heretics into the Order without requiring the year's novitiate that was imposed on Catholics. Thoroughly acquainted with all the secrets of heresy, he could render invaluable aid in persecuting his old associates, whom he pursued with all the ruthless bigotry of an apostate. He was speedily made an inquisitor, and earned an enviable reputation among the faithful by his vigor and success in exterminating heresy. The fact that, as we have seen, he was singled out with San Piero by the conspirators to be slain shows how thoroughly he had earned the hate of the persecuted. We know nothing of the details of the attempt upon his life save that Giacopo della Chiusa returned from Pavia with his errand unaccomplished. Rainerio was at once transferred to Milan as the man best fitted to replace the martyr, and he justified the selection by the unbending firmness with which he vindicated the authority of his office. It was still a novelty in Lombardy, and a man of his keen intelligence, strength of purpose, and self-devotion was required to organize it and establish it among a recalcitrant population.†

* Ripoll VIII. 113.—Chron. Parmens. ann. 1286 (Muratori, S. R. I. IX. 810).—Campana, op. cit. p. 63.—Bernardi Comens. Lucerna Inquis. s. vv. *Bona hæreticor.* No. 6, *Crucesignati, Indulgentia.*

† Ripoll I. 144, 168.—Campi, Dell' Hist. Eccles. di Piacenza, P. II. pp. 208-9.

Heretics, in fact, were more numerous than ever in Lombardy, for the active work carried on in Languedoc by Bernard de Caux and his colleagues had caused a wholesale emigration. Until the death of Frederic, Lombardy was regarded as a secure haven; colonies established themselves there, and even after the Lombard Inquisition was thoroughly organized the persecuted wretches continued for half a century to seek refuge there, nor do we often hear of their being detected.* All of Rainerio's resolution and energy were required for the work before him. In the March of Treviso, Ezzelin da Romano, whose influence extended far to the west, continued openly to protect heresy, and even in Lombardy the hopes excited by Frederic's death threatened to prove fallacious. In 1253, when Conrad IV. passed through Treviso to recover possession of his Sicilian kingdom, he appointed as his Lombard vicar-general Uberto Pallavicino, who soon became as obnoxious to the Church as Ezzelin himself; and, though Conrad died in 1254, and Innocent IV. seized Naples as a forfeited fief of the Church, Pallavicino's power continued to increase, and he soon established relations with Manfred, Frederic's illegitimate son, who wrested Naples from the papacy and became the chief of the Ghibelline faction. Even more threatening was the revulsion of feeling in Milan itself, when its ardent Guelfism was changed to indifference by Innocent's indiscreet assertion of certain ecclesiastical immunities which touched the pride of the citizens. The heads of the hydra might well seem indestructible.

One of Rainerio's first enterprises, in 1253, was summoning Egidio, Count of Cortenuova, before his tribunal, as a fautor and defender of heresy. The castle of Cortenuova, near Bergamo, had been razed as a nest of heretics, and its reconstruction prohibited, but the count had seized the castle of Mongano, which was claimed by the Bishop of Cremona, and had converted it into a den of heretics, who enjoyed immunity under his protection. He disdained to obey the citation and was duly excommunicated. He paid no attention to this, and on March 23, 1254, Innocent IV. ordered the authorities of Milan, under pain of ecclesiastical censures, to take the castle by force and deliver its inmates to the inquisitors for trial. The count, however, was in close alliance with

* Molinier, Thesis de Fratre Guillelmo Pelisso, Anicii, 1880, pp. lix.-lx.

Pallavicino, "that enemy of God and the Church," and the Milanese appear to have had no appetite for the enterprise at the time. Mongano continued to be a place of refuge for the persecuted until 1269, when the Milanese were at last stimulated to undertake the siege, and on capturing it handed it over to the Dominicans.*

Better success awaited Rainerio's efforts with Roberto Patta da Giussano, a Milanese noble who for twenty years had been one of the most conspicuous defenders of heresy in Lombardy. At his castle of Gatta he publicly maintained heretic bishops, allowing them to build houses, and establish schools whence they spread their pernicious doctrines through the land. They had also there a cemetery where, among others, were buried their bishops, Nazario and Desiderio. The place was notorious, and it is related of San Piero-Martire, as an instance of his prophetic gifts, that once when passing it he had foretold its destruction and the exhumation of the heretic bones. Roberto had been cited by the archbishop and had abjured heresy, but no effective measures had been ventured upon to coerce him from his evil ways, and the heretics of Gatta had continued to enjoy his protection. It was otherwise when, in 1254, Rainerio and Guido summoned him again. On his failing to appear they summarily condemned him as a heretic, declared his property confiscated and his descendants subject to the usual disabilities. Roberto saw that the new officials were not to be trifled with. The prospects of the Ghibellines at the moment were apparently hopeless. He hastened to make his peace, binding himself to submit to any terms which the pope might dictate; and Innocent doubtless deemed himself merciful when, August 19, 1254, he ordered the castle of Gatta and all the heretic houses to be destroyed by fire, the bones in the cemetery to be dug up and burned, and the count to perform such salutary penance as Rainerio might prescribe.†

The papal power was now at its height. Conrad IV. had died May 20, 1254, not without suspicion of poison; Innocent IV. had seized his Sicilian kingdoms, and for a brief space, until Manfred's romantic adventures and victory of Foggia, he might well imagine

* Ripoll I. 238, 242-3; VII. 31.—Bern. Corio, Hist. Milanese, ann. 1269.

† Ripoll I. 254.—Campana, op. cit. p. 114.

himself on the eve of becoming the undisputed temporal as well as spiritual head of Italy. Every effort was made to perfect the Inquisition and to render it efficient both as a political instrument and as a means of bringing about the long-desired uniformity of belief. On March 8 Innocent had taken an important step in its organization by ordering the Franciscan Minister of Rome to appoint friars of his Order as inquisitors in all the provinces south of Lombardy. On May 20 he reissued his bull *Ad extirpanda;* on the 22d he sent the constitutions of Frederic II. to all the Italian rulers, with orders to incorporate them in the local statutes, and informed them that the Mendicants were instructed to coerce them in case of disobedience. On the 29th he proceeded to reorganize the Lombard Inquisition by instructing the provincial to appoint four inquisitors whose power should extend from Bologna and Ferrara to Genoa. Under this impulsion and the restless energy of Rainerio no time was lost in extending the institution in every direction save where Ghibelline potentates such as Ezzelin and Uberto prevented its introduction. We chance to have an illustration of the process in the records of the little republic of Asti, on the confines of Savoy. It is recited that in 1254 two inquisitors, Frà Giovanni da Torino and Frà Paulo da Milano, with their associates, appeared before the council of the republic and announced to them that the pope enjoined them to admit the Inquisition within their territories. Thereupon the Astigiani made answer that they were ready to obey the pontiff, but they had no laws providing for persecution and it would be necessary to frame one. Accordingly an *ordenamento* was drawn up prescribing obedience to the constitutions of Innocent IV. and Frederic II., and it was forthwith added to the local statutes. Similar action was doubtless taking place in every quarter where the people had thus far remained in ignorance of the new doctrine that the suppression of heresy was the first duty of the government.*

The death of Innocent IV., December 7, 1254, whether it was the result of Dominican litanies or of mortification at Manfred's

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* Bern. Guidon. Vit. Innocent. PP. IV. (Muratori, S. R. I. III. 592).—Wadding, ann. 1254, No. 8.—Ripoll I. 246.—Sclopis, Antica Legislazione del Piemonte, p. 440.

success, made no difference in the energy with which the progress of the Inquisition was pushed. The accession of Alexander IV. was signalized by a succession of bulls repeating and enforcing the regulations of his predecessor, and urging prelates and inquisitors to increased activity. To overcome the resistance of such cities as were slack in the duty of capturing and delivering all who were designated for arrest by the inquisitors, the latter were empowered to punish such delinquency with the heavy fine of two hundred silver marks. Under this impulsion Rainerio assembled the people of Milan, August 1, 1255, in the Piazza del Duomo, read to them his commission, and gave them notice that, although he had hitherto acted with great mildness, the time had passed for trifling. Many citizens, he said, openly derided the Inquisition in the public streets; others caused scandal by opposing and molesting it. He therefore gave three formal warnings, attested by a notarial instrument duly witnessed, that all who should continue to indulge in detraction or should in any way impede the Inquisition were excommunicate as fautors of heresy, and would be prosecuted to such penalties as their audacity deserved.*

As the Inquisition warmed to its work, the four inquisitors provided for Lombardy by Innocent IV. proved insufficient, and, March 20, 1256, Alexander IV. ordered the provincial to increase the number to eight. He appears to have been somewhat dilatory in obedience, for in 1260 he was sharply reminded of the command and enjoined no longer to postpone its fulfilment. Possibly the delay may have arisen from the fact that in January, 1257, Rainerio had risen to the position of supreme inquisitor over the whole of Lombardy and the Marches of Genoa and Treviso, with power to appoint deputies. He thus was doubtless practically emancipated from the control of the provincial, and was able to supply any deficiency in the working force with those who were absolutely dependent upon himself. In March, 1256, the prelates had been required in the most urgent terms to render all aid and support to the inquisitors; and in January, 1257, this was emphasized by informing them that those who manifested neglect should not escape punishment, while those who showed themselves

* Ripoll I. 285.—Raynald. ann. 1255, No. 31.—Campi, Dell' Hist. Eccles. di Piacenza, P. II. pp. 212–13, 402.

zealous would find the Holy See benignant to them in their "opportunities." The significance of this is not to be mistaken, and it would be difficult to set limits to the power thus concentrated in the hands of the ex-Catharan.*

Territorially, however, his authority was circumscribed by the possessions of Uberto and Ezzelin, within which no inquisitor dared venture. In this very year, 1257, Piacenza, which had fallen under control of Uberto, was placed in such complete hostility to the Church that it was deprived of its episcopate, and its bishop, Alberto, was transferred to Ferrara. In Vicenza, which was ruled by Ezzelin, matters were even worse. There the heretics had a recognized chief named Piero Gallo, of the Borgo di San Piero, whose name was adopted by them as a rallying cry, to which the Catholics responded with "*viva Volpe!*"—a member of the family of Volpe being the leader of their faction; and so thoroughly did this become encrusted in the habits of the people that we are told in the seventeenth century that the cry of the citizens of the Borgo (then corruptly called Porsampiero) was still "*viva Gallo!*" while that of the dwellers in the Piazza and Porta Nuova was "*viva Volpe!*" Ezzelin would permit no persecution, and when the blessed Bortolamio di Breganze, one of the immediate disciples of St. Dominic, was made Bishop of Vicenza, in 1256, he was reduced to seeking conversions by persuasion. After preaching for a while with little effect he had a public discussion with Piero Gallo, and so impressed him by argument that the heretic was converted. We may reasonably doubt the assertion that Ezzelin's displeasure at this feat was the cause of Bortolamio's banishment from his see, but, whatever was the motive, he was consoled by Alexander IV., who sent him as nuncio to England. During his absence, in 1258, his archdeacon, Bernardo Nicelli, was bolder, and made a capture of importance in the person of the Catharan Bishop, Viviano Bogolo. He endeavored to convert his prisoner, but his powers of persuasion were insufficient, and Ezzelin interfered and set the heretic at liberty.†

So long as these Ghibelline chiefs retained power it was evident

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* Ripoll I. 300, 326, 327, 399.—Potthast No. 16292.

† Campi, Dell' Hist. Eccles. di Piacenza, P. II. pp. 214–15.—Barbarano de' Mironi, Hist. Eccles. di Vicenza, II. 99, 104.

that the foothold of heresy was secure, and that the hopes based on the death of Frederic II. were not destined to fruition. Every motive had long conspired to render the Church eager for the destruction of Ezzelin, who was its most dreaded antagonist, and every expedient had been tried to reduce him to subjection. As far back as 1221 Gregory IX., then legate in Lombardy, had extorted from him assurances of his hatred of heresy. In 1231 his sons, Ezzelin and Alberico, were at the papal court expressing horror at his crimes and promising to deliver him up for trial as a heretic if he would not reform, in order to escape the disinheritance which they would otherwise incur under Frederic's laws. They pledged themselves, moreover, to deliver to him letters from Gregory, dated September 1, in which he was bitterly reproached for his protection of heretics, and told that if he would humbly acknowledge his errors and expel all heretics from his lands he might come within two months to the Holy See, prepared to obey implicitly all commands laid upon him; otherwise heaven and earth would be invoked against him, his lands should be abandoned to seizure, and he, who was already a scandal and a horror to men, should become an eternal opprobrium.*

Whether the sons dutifully presented to their father this portentous epistle does not appear, nor is it of any importance save as showing how Ezzelin was already regarded as the mainstay of heresy, and how habitually zeal for the faith was made to cover the ambitious political designs of the Church. Ezzelin's courage never wavered, and his adventurous career was pursued with scarce a check. When Frederic II. overcame the resistance of Lombardy, he gave, in 1238, his natural daughter Selvaggia to Ezzelin in marriage and created him imperial vicar. The unanimous testimony of the ecclesiastical chroniclers represents him as a monster whose crimes almost transcend the capacity for evil of human nature, but the unrelieved blackness of the picture defeats the object of the painter. Possibly he may have been among the worst of the Italian despots of the time, when faithlessness and contempt for human suffering were the rule, but the long unbroken success which attended him shows that he must have had qualities which attached men to him, and the report that he was

* Epistt. Sæcul. XIII. T. I. No. 451.—Raynald. ann. 1231, No. 20–22.

twice moved to tears by the eloquence of Frà Giovanni Schio indicates a degree of sensibility impossible in one utterly depraved. In fact, the anecdote related by Benvenuto da Imola, that he carried on his back his sister's lover Sordello to and from the place of assignation, and then gave the frightened troubadour a friendly warning, presupposes a character wholly at variance with that currently attributed to him. Some of the stories circulated to excite odium against him are so absurdly exaggerated as to cast doubt upon all the accusations of the papalist writers.*

Gregory's letters of September 1, 1231, were simply a ruse. So far was he from awaiting the two months' delay for Ezzelin to present himself, that three days later, on September 4, he executed his threat by ordering the Bishops of Reggio, Modena, Brescia, and Mantua to offer Ezzelin's lands to the spoiler, and to preach the cross against him, with the same indulgences as for the Holy Land. This proved a failure, and when Frà Giovanni Schio was sent on his mission of peace, in 1233, Ezzelin's absolution was included in the general pacification, though he had not abandoned the protection of heresy, which had been the ostensible reason for assailing him. While Frederic was at peace with the Church, Ezzelin appears to have been let alone; and when the quarrel broke out afresh, after the emperor's subjugation of Lombardy, Ezzelin was again attacked. Frederic's excommunication of April 7, 1239, was followed, November 20, by that of Ezzelin. This time there is no mention of fautorship of heresy, but only of his encroachments on the church of Treviso and of his remaining under excommunication for more than three years. A month is given to him to submit, after which he is to be proceeded against as a heretic, for the Church had already discovered the convenience of treating disobedience as heresy. Nothing came of this, and in 1244 Innocent IV. resolved to see whether the Inquisition could not be used to better effect. Frà Rolando da Cremona, whose dauntless energy we have witnessed, was commissioned to make inquest on him as on one suspected and publicly defamed for her-

* Chabaneau (Vaissette, Éd. Privat, X. 314).—Monach. Patavin. Chron. (Muratori, S. R. I. VIII. 707–9). — Frederic II. is similarly described by the papal scribes as a monster delighting in objectless cruelty. See Vit. Gregor. PP. IX. Muratori, S. R. I. III. 583–4).

esy by reason of his association with heretics; and as the accused was "terrible and powerful," the inquisitor was empowered to publish the legal citations in any place where he could do so in safety. The result of this trial *in absentia* was conclusive. It was found that he was the son of a heretic, that his kinsmen were heretics, that under his protection heresy had spread throughout the March of Treviso, and it was decided that he did not believe in the faith of Christ, and must be held suspect of heresy. In March, 1248, Innocent pronounced his condemnation as a manifest heretic to receive the reward of damnation incurred by damned heretics, but promised him that he would learn the abundant clemency of the Church if he would present himself in person by the next Ascension day (May 28). The wary old chief did not allow his curiosity as to the extent of papal clemency to overcome his caution, and abstained from placing his person in Innocent's power. He sent envoys, however, who offered to purge him of the suspicion of heresy by swearing to his orthodoxy; but Innocent held that he must appear in person, and offered him a safe-conduct in coming and going. There was no security promised in staying, however, and Ezzelin was cautious. The term allowed him passed away, and he was duly excommunicated. After two years more he was notified that unless he appeared by August 1, 1250, he would be subjected to the statutes against heresy. The obdurate sinner was equally unmoved by this, and in June, 1251, the Bishop of Treviso and the Dominican Prior of Mantua were ordered to summon him personally again to appear by a given time, offering him ample security for his safety: if he disobeyed, his subjects of Treviso were commanded to coerce him, and if this failed a crusade was to be preached against him.*

To a pope desirous of extending his temporal sway it was exceedingly convenient to condemn his political opponents for heresy, and exceedingly economical to pay for their subjugation by lavishing the treasures of salvation. Thus, in April, 1253, Innocent IV., as an episode in his quarrel with Brancaleone, Senator of Rome, ordered the Dominicans of the Roman province to preach

* Epistt. Sæcul. XIII. T. I. No. 453, 741, 757-9. — Ripoll I. 59, 135, 193. — Potthast No. 12899. — Berger, Registres d'Innocent IV. No. 4095. — Raynald. Annal. ann. 1248. No. 25-6.—Harduin. Concil. VII. 362.

a crusade, with Holy-Land indulgences, against the so-called heretics of Tuscany. Preparations were similarly made, on a larger scale, to crush those of Lombardy, where heresy was described as being more rampant and aggressive than ever. For two years a succession of bulls was issued directing all prelates, and especially the inquisitors, to preach the cross against them, with a most liberal assortment of indulgences. In one of these absolution was actually offered to those who held property wrongfully acquired, provided they contributed its value in aid of the crusade, thus deliberately rendering the Church an accomplice in robbery. In another, all persons or communities neglecting to aid the crusade were ordered to be prosecuted by the inquisitors as fautors of heresy. As a formal preliminary, Ezzelin was again cited, April 9, 1254, to present himself for judgment by the next Ascension day (May 21), failing which he was sentenced as a manifest heretic, to be dealt with as such. In all these proceedings the curious travesty of an inquisitorial trial shows us the influence which the Inquisition was already exercising on the minds of churchmen, and the employment of inquisitors proves how useful the institution was becoming as a factor in advancing the power of the Holy See.*

The Neapolitan conquest and the death of Innocent IV. postponed the organization of the crusade, but at length, in June, 1256, it set out from Venice under the leadership of the Legate Filippo, Archbishop-elect of Ravenna. The capture by assault of Padua, Ezzelin's most important city, was an encouraging commencement of the campaign, but the seven-days' sack, to which the unfortunate town was abandoned, showed that the soldiers of the cross were determined to make the most of the indulgences which they had earned. Under its incompetent captain the crusade dragged on without further result, in spite of reiterated bulls offering salvation, until, in 1258, the legate was utterly routed near Brescia and captured, together with his astrologer, the Dominican Everard. Brescia fell into Ezzelin's hands, who, more powerful than ever, entertained designs upon Milan, where he had relations with the Ghibelline faction. When all danger seemed to him past,

* Ripoll I. 230, 247, 249–51, 286, 291. — Mag. Bull. Rom. I. 102–4. — Pegnæ Append. Eymeric. p. 77. — Harduin. Concil. VII. 362.

however, there was a sudden revulsion of fortune. The Ghibelline chiefs of Lombardy, Uberto Pallavicino and Buoso di Dovara, lords of Cremona, had been in alliance with him; they had aided in the capture of Brescia, with the understanding that they were to share in its possession, but he had monopolized the conquest, and they were resolved on revenge. June 11, 1259, they signed a treaty against Ezzelin with the Milanese and with Azzo d'Este, the head of the Lombard Guelfs. Ezzelin took the field with a heavy force, hoping to gain possession of Milan through the intelligences which he had within the walls, but on the march he was attacked by Uberto, Buoso, and Azzo, who by skilful strategy dispersed his troops and captured him, grievously wounded. His savage pride would not brook this degradation: he tore the bandages from his wound, refused all aid, and died in a few days.*

No greater service could have been rendered to the Church than that performed by Uberto, who had been in field and council the soul of the alliance that destroyed the dreaded Ezzelin and threw open, after thirty years of fruitless effort, the March of Treviso to the Inquisition. Some show of favor in return for such services would not have been amiss; would perhaps, indeed, have been wise, as it might have won over the powerful Ghibelline chief. In the treaty of June 11, however, the allies had alluded to Manfred as King of Sicily, and had pledged themselves to labor for his reconciliation with the pope. No service, especially after it had become irrevocable, could overbalance this recognition of the hated son of Frederic. Uberto, Buoso, and the Cremonese had been absolved from excommunication when they entered the alliance, but Alexander IV. wrote, December 13, 1259,

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* Raynald. ann. 1257, No. 38-9; 1258, No. 1-4; 1259, No. 1-3. — Rolandini Chron. Lib. IX.-XII. (Muratori, S. R. I. VIII. 299-352).—Monach. Patavin. Chron. (Ib. VIII. 691-705).—Nic. Smeregi Chron. (Ib. VIII. 101).—Wadding, ann. 1258, No. 6.—Mag. Bull. Rom. I. 118.

The ferocity of the age is seen in the treatment bestowed on Ezzelin's brother Alberico, when captured with his family. He was gagged and tied to a tree, his wife and daughters were burned alive before his eyes, his sons were slain and their limbs thrown in his face, and then he was deliberately hacked in pieces.—Laurentii de Monacis Ezerinus III. (Muratori, S. R. I. VIII. 150). Alberico was a man of culture, a troubadour, and a patron of the *gai science* (Vaissette, Ed. Privat, X. 313).

to his legate in Lombardy that the absolution was worthless because it had not been administered by a Dominican or a Franciscan, who alone were empowered to grant it; if, however, the allies would repudiate Manfred and give sufficient security to obey the mandates of the Church and to restore all Church property, they might still be absolved.*

Apparently Alexander's head had been turned by the triumph over Ezzelin, but he knew little of the man whom he thus treated with such supercilious ingratitude. By intrigues with the Torriani and other powerful nobles of Milan, Uberto created for himself a party in that city, and in 1260 he procured his election as podestà for five years. Rainerio Saccone vainly endeavored to prevent a consummation so deplorable. He assembled the citizens, denounced Uberto as vehemently suspected of heresy and as a manifest defender of heretics, and threatened that if it was persisted in he would ring all the church bells, and summon the people and clergy and Crocesegnati to oppose it by force. Unfortunately the citizens did not take in good part this somewhat insolent interference of a stranger with their internal affairs; or, as Alexander IV. describes it, "this wholesome counsel given in the spirit of humility and kindness." In wrath they assembled and rushed to the Dominican convent, where they gave Rainerio the alternative of leaving the city or faring worse. He chose the wiser alternative and departed.†

It was in vain that Alexander, in the bull detailing these griefs, ordered Rainerio and the other inquisitors to prosecute the guilty parties. It was in vain also that he approved, October 14, 1260, the statutes of an association of Defenders of the Faith recently formed in Milan in honor of Jesus Christ, the Blessed Virgin, St. John the Baptist, and St. Peter Martyr, whose members pledged themselves to give assistance, armed or otherwise, to the Inquisition in its labors for the extermination of heresy. Uberto was now the most powerful man in Lombardy, and wherever his influence extended he prohibited inquisitors from performing their functions. Heretics were safe under his rule, and they flocked to his territories from other parts of Lombardy and from Languedoc

* Raynald. ann. 1259, No. 6–9.

† Ripoll I. 398.—Bern. Corio, Hist. Milanese, ann. 1259.

and Provence. One of his confidential servitors was a certain Berenger, who had been condemned for heresy. Alexander lost no time in repeating with him the comedy of an inquisitorial trial, which we have seen performed with Ezzelin. December 9, 1260, he addressed instructions to the inquisitors of Lombardy to cite him, from some safe place, to the papal presence within two months, offering him a safe-conduct for coming (but not for going), when if he can prove his innocence he will be admitted to swear obedience to the papal mandates. If he does not appear, he is to be proceeded against inquisitorially.*

Uberto cared as little as Ezzelin for the impotent papal thunder, and quietly went on strengthening his position and adding city after city to his dominions, in spite of Alexander's instructions to Rainerio and his inquisitors to act vigorously and to preach a crusade. Between his success in the north, and the daily extending influence of Manfred's wise and vigorous rule in the south, it looked for a while as though the ambitious designs of the papacy were permanently crushed, and that the Italian Inquisition might come to an untimely end. Inquisitors were no longer able to move around in safety, even in the Roman province, and prelates and cities were ordered to provide them with a sufficient guard in all their journeys. An indication of the popular feeling is afforded by the action taken in 1264 by the people of Bergamo, greatly to the indignation of the Roman curia, to defend themselves against the arbitrary methods of inquisitorial procedure. They enacted that any one cited or excommunicated for heresy or fautorship might take an oath before the prosecutor or bishop that he held the faith of the Church of Rome in all its details, and then another oath before the podestà binding himself to pay one hundred sols every time that he deviated from it; after this he could not be cited outside of the city, and was eligible to any municipal office within it, while the magistrates were to defend him at the public expense against any such citation or excommunication. Yet outside of Uberto's territories and influence the business of the Inquisition in Lombardy went steadily on. In 1265 and 1266 Clement IV. is found issuing instructions as to the duties and appointment of inquisitors as vigorously as though there were no

* Arch. de l'Inquis. de Carcassone (Doat, XXXI.).—Ripoll I. 400.

impediments to their functions. It seemed only a question of time, however, when the districts yet open should be closed to them.*

There have been few revolutions more pregnant with results than that which occurred when the popes, renouncing the hope of acquiring for themselves the kingdom of Sicily, and vainly tempting Edmond, son of Henry III. of England, succeeded in arousing the ambition of Charles of Anjou, and caused a crusade to be preached everywhere in his behalf. The papacy fully recognized the supreme importance of the issue, and staked everything upon it. The treasures of salvation were poured forth with unstinted hand, and plenary indulgences were given to all who would contribute a fourth of their income or a tenth of their property. The temporal treasury of the Church was drawn upon with equal liberality. Three years' tithe of all ecclesiastical revenues in France and Flanders were granted to Charles, and when all this proved insufficient, Clement IV. sacrificed the property of the Roman churches without hesitation. An effort to raise one hundred thousand livres by pledging it brought in only thirty thousand, and then he pawned for fifty thousand more the plate and jewels of the Holy See. He could truly answer Charles's increasing demands for money to support his naked and starving crusaders by declaring that he had done all he could, and that he was completely exhausted—he had no mountains and rivers of gold, and could not turn earth and stones into coin. So utter was his penury that the cardinals were reduced to living at the expense of the monasteries; and when the Abbot of Casa Dei complained of the number quartered on him, he was told that he would be relieved of the Cardinal of Ostia, but that he must support the rest. More permanent relief, however, was found at the expense of the foreigner by assigning to

* Potthast No. 17984–5.—Arch. de l'Inquis. de Carc. (Doat, XXXI. 216).—Ripoll I. 402, 460, 462, 466, 469, 478.—Raynald. ann. 1260, No. 12.—Mag. Bull. Rom. I. 119.

The bull threatening the people of Bergamo with interdict for their legislation is by Urban IV. and dated in 1264, as found in the archives of the Inquisition of Carcassonne (Doat, XXX. 288), while Ripoll (I. 499) gives it as by Clement IV. in 1265, showing that the Bergamese were obstinate. Bergamo had been under interdict for adhering to Frederic and Conrad, and had only been reconciled after the death of the latter in 1255 (Ripoll I. 268).

them revenues on churches abroad on the liberal scale of three hundred marks a year apiece.*

Vainly Pallavicino sought to prevent the passage of the crusaders through Lombardy. The fate of Italy—one may almost say of the papacy—was decided, February 26, 1266, on the plain of Benevento, where Guelf and Ghibelline from all portions of the Peninsula faced each other. Had Charles been defeated it would have fared ill with the Holy See. Europe had looked with aversion on the prostitution of its spiritual power to advance its temporal interests, and success alone could serve as a justification, in an age when men looked on the battle ordeal as recording the judgment of God. In the previous August, Clement had despairingly answered Charles's demands for money by declaring that he had none and could get none—that England was hostile, that Germany was almost openly in revolt, that France groaned and complained, that Spain scarce sufficed for her internal necessities, and that Italy did not furnish her own share of expenses. After the battle, however, he could exultingly write, in May, to Cardinal Ottoboni of San Adriano, his legate in England, that "Charles of Anjou holds in peace the whole kingdom of that pestilent man, obtaining his putrid body, his wife, his children, and his treasure," adding that already the Mark of Ancona had returned to obedience, that Florence, Siena, Pistoja, and Pisa had submitted, that envoys had come from Uberto and Piacenza, and that others were expected from Cremona and Genoa; and on June 1 he announced the submission of Uberto and of Piacenza and Cremona.†

Although one by one Pallavicino's cities revolted from him in the general terror, his submission was only to gain time, and in 1267 he risked another cast of the die by joining in the invitation to Italy of the young Conradin, but the defeat and capture of that prince at Tagliacozza, in August, 1268, followed by his barbarous execution in October, extinguished the house of Suabia and the hopes of the Ghibellines. Charles of Anjou was master of Italy; he was created imperial vicar in Tuscany; even in the

* Epistt. Urbani PP. IV. (Martene Thesaur. II. 9–50, 74–9, 116–18, 220–37.—Epistt. Clement. PP. IV. (Ibid. pp. 176, 186, 196–200, 213, 218, 241–5, 250, 260, 274).

† Epistt. Clem. PP. IV. (Martene Thesaur. II. 174, 319, 327).—Raynald. ann. 1266, No. 23.

north we find him this year appointing Adalberto de' Gamberti as podestà in Piacenza. Before the close of 1268 Pallavicino died, broken with age and in utter misery, while besieged in his castle of Gusaliggio by the Piacenzans and Parmesans. For a presumed heretic he made a good end, surrounded by Dominicans and Franciscans, confessing his sins and receiving the viaticum, so that, as a pious chronicler observes, we may humbly believe that his soul was saved. Despite the calumnies of the papalists, he left the reputation of a man of sterling worth, of lofty aims, and of great capacity. As for Rainerio Saccone, the last glimpse we have of him is in July, 1262, when Urban IV. orders him to come with all possible speed for consultation on a matter of moment, defraying, from the proceeds of the confiscations, all expenses for horses and other necessaries on the journey. His expulsion from Milan had evidently not diminished his importance.*

Under these circumstances, the long interregnum of nearly three years, which occurred after the death of Clement IV., in 1268, made little difference. Henceforth there was to be no refuge for heresy. The Inquisition could be organized everywhere, and could perform its functions unhampered. By this time, too, its powers, its duties, and its mode of procedure had become thoroughly defined and universally recognized, and neither prelate nor potentate dared to call them in question. As already stated, in 1254, Innocent IV. had divided the Peninsula between the two Orders, giving Genoa and Lombardy to the Dominicans, and central and southern Italy to the Franciscans. To the provinces of Rome and Tuscany were allotted two inquisitors each, while for that of St. Francis, or Spoleto, one was deemed sufficient, but in 1261 each inquisitor was furnished with two assistants, and the provincials were instructed to appoint as many more as might be asked for, so that the holy work might be prosecuted with full vigor. Lombardy, as we have seen, had eight inquisitors, and when the Dominicans divided that province, in 1304, the number was increased to ten, seven being assigned to Upper and three to Lower Lombardy. For a while the March of Treviso and Ro-

* Ripoll I. 427, 514.—Campi, Dell' Hist. Eccles. di Piacenza, P. II. pp. 218-31. —Philippi Bergomat. Supplem. Chron. ann. 1261.

magnola were intrusted to the Franciscans, but, as stated above (Vol. I. p. 477), their extortions were so unendurable that, in 1302, Boniface VIII. transferred these districts to the Dominicans, without thereby relieving the people.*

No time had been lost in enforcing unity of belief in the territories redeemed from Ghibelline control. As early as February, 1259, the Franciscan Minister of Bologna was ordered to appoint two friars as inquisitors in Romagnola. At Vicenza, no sooner was quiet restored after the death of Ezzelin than Frà Giovanni Schio was sent thither to remove the excommunication incurred by the people in consequence of their subjection to Ezzelin. The ceremony was symbolic of the scourging inflicted on penitents. The podestà and council assembled at the usual place of meeting, whence they marched in pairs to the cathedral. At the south portal stood Giovanni with seven priests, and as the magistrates entered they touched each one lightly with rods, after which the rites of absolution were solemnly performed. The exiled bishop, Bortolamio, on his return from England had tarried with St. Louis, whose confessor he had been in Palestine, where he had served as papal legate during the saintly king's crusade. As soon as he heard of the death of Ezzelin he hastened homeward, bearing with him the priceless treasures of a thorn of the crown and a piece of the cross which St. Louis had bestowed upon him in parting. At once he commenced to build the great Dominican church and convent of the Santa Corona. The site chosen was on the most elevated spot in the city, known as the Colle, and among the buildings destroyed to give place for it was the church of Santa Croce, which had been occupied by the heretics as their place of assembly and worship. We are told that the presence of the relics worked the miracle of relieving the city of its three leading sins—avarice, heresy, and discord. As for heresy, the miracle lay in the unlooked-for conversion of the chief heretic of the district, Gieremia, known as the Archbishop of the Mark, who, with his son Alticlero, made public recantation. The heretic bishop, Viviano Bogolo, fled to Pavia, where he was recognized and burned. His two deacons, Olderico da Marola and Tolomeo, with eight others,

* Wadding, ann. 1254, No. 7, 8, 11, 16; 1261, No. 2.—Grandjean, Registres de Benoît XI. No. 1167.—Ripoll II. 87.

probably Perfects, were obstinate, and were promptly burned. These examples were sufficient. The "credentes" furnished no further martyrs, and heresy, at least in its outward manifestation, was extinguished.*

In some places, unblessed with such wonder-working relics, however, the Inquisition had much greater trouble in establishing orthodoxy. In Piacenza it is said to have found the burning of twenty-eight wagon loads of heretics necessary. At Sermione for sixteen years the inhabitants defiantly refused to allow persecution. Though Catholic themselves, they continued to afford protection to heretics, who naturally flocked thither as one refuge after another was rendered unsafe by the zeal of the inquisitors. It was in vain that Frà Timedeo, the inquisitor, obtained evidence by sending there a female spy, named Costanza da Bergamo, who pretended to be a heretic, received the *consolamentum*, and was then unreservedly admitted to their secrets. At last the scandal of such ungodly toleration became unendurable, and the Bishop of Verona prevailed upon Mastino and Alberto della Scala of Verona, and Pinamonte de' Bonacolsi of Mantua, to reduce Sermione to obedience. It was obliged to submit in 1276, delivering up no less than one hundred and seventy-four perfected heretics, and humbly asking to be restored to Catholic unity, with a pledge to stand to the mandates of the Church. Frà Filippo Bonaccorso, the Inquisitor of Treviso, applied to John XXI. for instructions as to the treatment of the penitent community. The pope was a humane and cultured man who cared more for poetry than theology, and he was disposed to be lenient with repentant sinners. He instructed Frà Filippo to remove the interdict if the town would appoint a syndic to abjure heresy in its name, and to swear in future to seize all heretics and deliver them to the Inquisition, any infraction of the oath to work a renewal, *ipso facto*, of the interdict. Every inhabitant was then to appear personally before the inquisitor, and make full confession of everything relating to heresy, to abjure, and to accept such penance as might be assigned —all infamous penalties, disabilities, imprisonment, and confiscation being mercifully excluded. Full records were to be kept of

* Wadding, ann. 1259, No. 3.—Barbarano de' Mironi, Hist. Eccles. di Vicenza, II. 95, 105, 108, 113, 121.

each case, and any withholding of the truth or subsequent relapse was to expose the delinquent to the full rigor of the law. Obstinate heretics were to be dealt with according to the canons, and of these there were found seventy, whom Frà Filippo duly condemned, and had the satisfaction of seeing burned. To insure the future purity of the faith, in 1278 a Franciscan convent was built at Sermione with the proceeds of a fine of four thousand lire levied upon Verona as one of the conditions of removing the interdict incurred by its upholding the cause of the unfortunate Conradin; and in 1289 Ezzelin's castle of Illasio was given to some of the nobles who had been conspicuous in the reduction of Sermione, as a reward for their service, and to stimulate them in the future to continue their support of the Inquisition.*

Thus heresy, deprived of all protection, was gradually stamped out, and the Inquisition established its power in every corner of the land. How that power was abused to oppress the faithful with ingeniously devised schemes of extortion we have already seen. In fact, in the territories which had once been Ghibelline, it was impossible for any man, no matter how rigid his orthodoxy, to be safe from prosecution if he chanced to provoke the ill-will of the officials, or possessed wealth to excite their cupidity. So successful had the Church been in confounding political opposition with heresy that the mere fact of having adhered of necessity to Ezzelin during the period of his unquestioned domination long continued sufficient to justify prosecution for heresy, entailing the desirable result of confiscation. When Ezzelin's generation passed away, the memory of the dead was assailed and the descendants were disinherited. In all this there was no pretence of errors of faith, but the men to whom the Church intrusted the awful powers of the Inquisition seemed implacably determined to erase from the land every trace of those who had once dared to resist its authority. At last, in 1304, the authorities of Vicenza appealed to Benedict XI. no longer to allow the few survivors of Ezzelin's party and their descendants to be thus cruelly wronged, and the pope graciously granted their petition. By this time the empire was but a shadow; Ghibellinism represented no living force that

* Annal. Mediolanens. cap. 31 (Muratori, S. R. I. XVI. 662).—Muratori Antiq. Ital. XII. 513.—Wadding, ann. 1277, No. 10, 11; 1278, No. 33; 1289, No. 18.

the papacy could reasonably dread, and its persecution had long been merely the gratification of greed or malice.*

The triumph of the Inquisition had not been effected wholly without resistance. In 1277 Frà Corrado Pagano undertook a raid against the heretics of the Valtelline. It was, doubtless, organized on an extended scale, for he took with him two associates and two notaries. This would indicate that heretics were numerous; the event showed that they did not lack protectors, for Corrado da Venosta, one of the most powerful nobles of the region, cut short the enterprise by slaughtering the whole party, on St. Stephen's day, December 26. Pagano had been a most zealous persecutor of heresy, and when his body was brought to Como it lay there for eight days before interment, with wounds freshly bleeding, showing that he was a martyr of God, and justifying the title bestowed on him by his Dominican brethren of St. Pagano of Como. His relics are still preserved there and are the objects of a local cult. Nicholas III. made every effort to avenge the murder, even invoking the assistance of Rodolf of Hapsburg, and his joy was extreme when, in November, 1279, the podestà and people of Bergamo succeeded in capturing Corrado and his accomplices. He at once ordered their delivery, under safe escort, to the inquisitors, Anselmo da Alessandria, Daniele da Giussano, and Guidone da Coconate, who were instructed to inflict a punishment sufficient to intimidate others from imitating their wickedness, and all the potentates of Lombardy were commanded to co-operate in their safe conveyance.†

The same year that justice was thus vindicated, a popular ebullition in Parma shows how slender was the hold which the Inquisition possessed on the people. Frà Florio had been diligent in the exercise of his functions, and we are told that he had burned innumerable heretics, when, in 1279, he chanced at Parma to have before him a woman guilty of relapse. It was a matter of course to condemn her to relaxation, and she was duly burned. In place of being piously impressed by the spectacle the Parmesans were

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* Grandjean, Registres de Benoit XI. No. 508.

† Paramo, p. 264.—Verri, Storia di Milano, I. 244.—Ripoll I. 567.—Raynald. ann. 1278, No. 78.—In Doat, XXXII. 160, is the letter to the authorities of Bergamo, which Bremond (Ripoll ubi sup.) says is not to be found.

inspired by Satan to indignation which expressed itself by sacking the Dominican convent, destroying the records of the Inquisition, and maltreating the friars so that one of them died within a few days. The Dominicans thereupon abandoned the ungrateful city, marching out in solemn procession. The magistrates showed singular indifference as to punishing this misdeed, and when summoned by the Cardinal Legate of Ostia, the representatives who presented themselves lacked the necessary authority, so that, after vainly waiting for satisfaction, he laid an interdict upon the city. This was not removed till 1282, and even then the guilty were not punished. In 1285 we find Honorius IV. taking up the matter afresh and summoning the Parmesans to send delegates to him within a month to receive sentence; what that sentence was does not appear, but in 1287 the humbled citizens petitioned the Dominicans to return, received them with great honor, and voted them one thousand lire, in annual instalments of two hundred lire, wherewith to build a church. So stubborn was the opposition elsewhere to the Inquisition and its ways, that in 1287 the Provincial Council of Milan still deemed it necessary to decree that any member of a municipal government in any city within the province who should urge measures favoring heretics should be deemed suspect of heresy, and should forfeit any fiefs or benefices held of the Church.*

Even in the Patrimony of St. Peter resistance was not wholly at an end. In 1254, when the papacy was triumphant, Innocent IV. urged the inquisitors of Orvieto and Anagni to take advantage of the propitious time and act with the utmost vigor. In 1258 Alexander IV. sounded the alarm that heresy was increasing even in Rome itself, and he pressingly urged increased activity on the inquisitors and greater zeal in their support by the bishops. Their efforts were not wholly successful. Twenty years later a knight named Pandolfo still made his stronghold of Castro Siriani, near Anagni, a receptacle of heretics. Frà Sinibaldo di Lago, the in-

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* Memor. Protestat. Regiens. ann. 1279, 1282 (Muratori, S. R. I. VIII. 1146, 1150).—Bern. Corio, Hist. Milanese, ann. 1279.—Paramo Lib. II. Tit. ii. cap. 30, No. 13. — Pegnæ Append. ad Eymeric. p. 55 — Salimbene Chron. pp. 274, 276, 342.—Chron. Parmens. ann. 1279, 1282, 1286, 1287 (Muratori, IX. 792, 799, 809–11).—Sarpi, Discorso (Opere, IV. 21).—Concil. Mediolanens. ann. 1287, c. xi.

quisitor of the Roman province, made various ineffectual attempts to prosecute him, and in 1278 Nicholas III. sent his notary, Master Benedict, with offers of pardon in return for obedience, but the heretics were obdurate, and Nicholas was forced to order Orso Orsini, Marshal of the Church in Tuscany, to levy troops and give Frà Sinibaldo armed assistance sufficient to enable him to coerce them to penitence. A similar enterprise against the Viterbian noble, Capello di Chia, in 1260, has already been described (Vol. I. p. 342). In this case the zeal of the Viterbians, who levied an army to assist the inquisitor, must have had some political motive, for their city was of evil repute in the matter of heresy. In 1265, encouraged by the assistance of Manfred, the people had risen against the Inquisition and had only been subdued after a bloody fight in which two friars were slain. In 1279 Nicholas expresses his regret that although, while he had been inquisitor-general, he had labored strenuously to purge Viterbo of heresy, his labors had been unsuccessful Heretics were still concealed there, and the whole city was infected. Frà Sinibaldo was therefore ordered to go thither to make a thorough inquisition of the place.*

Earnest and unsparing as were the labors of the inquisitors, it seemed impossible to eradicate heresy. Its open manifestations were readily suppressed when the Ghibelline chiefs who protected it were destroyed, but in secret it still flourished and maintained its organization. In the inquest held on the memory of Armanno Pongilupo of Ferrara there is a good deal of testimony which shows not only the activity and success of the Inquisition of that city, but the continued existence of heresy throughout the whole region. There are allusions to numerous heretics in Vicenza, Bergamo, Rimini, and Verona. In the latter city a lady-in-waiting of the Marchesa d'Este, named Spera, was burned in 1270, and about the same time there were two Catharan bishops there, Alberto and Bonaventura Belesmagra. In 1273 Lorenzo was Bishop of Sermione, and Giovanni da Casaletto was Bishop of Mantua. There was a secret organization extending through all the Italian cities, with visitors and *filii majores* performing their rounds, and messengers

* Ripoll I. 241-2.—Wadding. ann. 1258, No. 3, 5; ann. 1278, No. 33; ann. 1279, No. 29; Regest. Nich. PP. III. No. 11.—Mag. Bull. Rom. I. 118.—Martene Thesaur. II. 191.—Raynald. ann. 1278, No. 78.

were constantly passing to and fro, elaborate arrangements being made for secreting them. Those who were in prison were kept supplied with necessaries by their brethren at large, who never knew at what moment they might be incarcerated. From the sentences of Bernard Gui we know that until the fourteenth century was fairly advanced the Cathari of Languedoc still looked to Italy as to a haven of refuge; that pilgrims thither had no trouble in finding their fellow-believers in Lombardy, in Tuscany, and in the kingdom of Sicily; that when the French churches were broken up those who sought to be admitted to the circle of the Perfect, or to renew their *consolamentum*, resorted to Lombardy, where they could always find ministers authorized to perform the rites. When Amiel de Perles had forfeited his ordination a conference was held in which it was determined that he should be sent with an associate to "the Ancient of the Heretics," Bernard Audoyn de Montaigu, in Lombardy for reconciliation; and on another occasion we hear of Bernard himself visiting Toulouse on business connected with the propagation of the faith.*

How difficult, indeed, was the task of the inquisitor in detecting heresy under the mask of orthodoxy is curiously illustrated by the case of Armanno Pongilupo himself. In Ferrara heretics were numerous. Armanno's parents were both Cathari; he was a "*consolatus*" and his wife a "*consolata*." In 1254 he was detected and imprisoned; he confessed and abjured, and was released. From his Catharan bishop he received absolution for his oath of abjuration, and was received back into the sect. From this time until his death, in 1269, he was unceasingly engaged in propagating Catharan doctrines and in ministering to the wants of his less fortunate brethren in the clutches of the Inquisition, which was exceedingly active and successful. Meanwhile he preserved an exterior of the strictest Catholicism; he was regular in attendance at the altar and confessional, and wholly devoted to piety and good works. He died in the odor of sanctity, was buried in the cathedral, and immediately he began to work miracles. He was soon reverenced as a saint. A magnificent tomb arose over his remains, an altar was erected, and, as the miraculous manifestations of his

* Muratori Antiq. Ital. XII. 513–14, 521–3, 537–8.—Lib. Sententt. Inq. Tolosan. pp. 2, 3, 12, 13, 32, 68, 75, 76, 81, etc.

sanctity multiplied, his chapel became filled with images and ex-votos, to the no little profit of the church fortunate enough to possess him. Adored as a saint in the popular cult, there came a general demand for his canonization, in which the pride of the city was warmly enlisted, but which was steadfastly opposed by the Inquisition. In the confessions of heretics before it the name of Armanno constantly recurred as that of one of the most active and trusted members of the sect, and ample evidence accumulated as to his unrepentant heresy. Then arose a curious conflict, waged on both sides with unremitting vigor for thirty-two years. Hardly had the remains been committed to honorable sepulture in the cathedral when Frà Aldobrandini, the inquisitor who had tried him in 1254, ordered the archpriest and chapter to exhume and burn the corpse, and on their refusal excommunicated them and placed the cathedral under interdict. From this they appealed to Gregory X. and set to work to gather the evidence for canonization. For this purpose at different times five several inquests were held and superabundant testimony was forthcoming as to the success with which his suffrage was invoked, how the sick were healed, the blind made to see, and the halt to walk, while numerous priests bore emphatic witness to his pre-eminent piety during life. Gregory and Aldobrandini passed away leaving the matter unsettled. Frà Florio, the next inquisitor, sent to Rome expressly to urge Honorius IV. to come to a decision, but Honorius died without concluding the matter. On the accession of Boniface VIII., in 1294, Frà Guido da Vicenza, then inquisitor, again visited Rome to procure a termination of the affair. Still the contending forces were too evenly balanced for either to win. At length the Lord of Ferrara, Azzo X., interposed, for the contest between the inquisitor and the secular clergy seriously threatened the peace of the city. In 1300 Boniface appointed a commission to make a thorough investigation, with power to decide finally, and in 1301 sentence was rendered to the effect that Armanno had died a relapsed heretic; that no one should believe him to be anything but a heretic; that his bones should be exhumed and burned, the sarcophagus containing them and the altar erected before it be destroyed; that all statues, images, ex-votos, and other offerings set up in his honor in the cathedral and other Ferrarese churches should be removed within ten days; and that all his property, real and personal, was

confiscated to the Inquisition, any sales or conveyances made of them during the thirty-two years which had elapsed since his death being void. Frà Guido's triumph was complete, and on the death of the Bishop of Ferrara, in 1303, he was rewarded with the episcopate. Extraordinary as this case may seem, it was not unique. At Brescia a heresiarch named Guido Lacha was long adored as a saint by the people until the imposture was detected by the Inquisition, which caused his bones to be dug up and burned.*

This was the period of the greatest power and activity of the Inquisition, and the extent of its perfected organization is shown in a document of 1302, wherein Frà Guido da Tusis, Inquisitor of Romagnola, publishes in the communal council of Rimini the names of thirty-nine officials whom he has selected as his assistants. The expenses of such a body could not have been light, and to defray them there must have been a constant stream of fines and confiscations pouring into the inquisitorial treasury, showing an abundant harvest of heresy and active work in its suppression.† It was probably between 1320 and 1330 that was produced the treatise of Zanghino Ugolini, so often quoted above. Frà Donato da Sant' Agata had been appointed Inquisitor of Romagnola, and the learned jurisconsult of Rimini drew up for his instruction a summary of the rules governing inquisitorial procedure, which is one of the clearest and best manuals of practice that we possess.

A singular episode of lenity occurred not long before, which is not to be passed over, although inexplicable in itself and unproductive of consequences. Its importance, indeed, lies in the evidence which it affords that the extreme severity of the laws against heresy was recognized as really unnecessary, since its relaxation in favor of a single community as a matter of favor would otherwise have been a crime against the faith. In February, 1286, Honorius IV., in consideration of the fidelity manifested by the people of

* Muratori Antiq. Ital. XII. 508-55.—Bern. Guidon. Vit. Bonif. VIII. (S. R. I. III. 671-2).—Barbarano de' Mironi, Hist. Eccles. di Vicenza II. 153.—Salimbene Chron. ann. 1279, p. 276.—Paramo, p. 299.

The wide attention attracted by the case of Armanno is shown by the allusion to it in the German chronicles.—Trithem Chron. Hirsaug. ann. 1299.—Chron. Cornel. Zanfliet (Martene Ampl. Coll. V. 142-3).

† Introductio ad Zanchini Tract. de Hæres. ed. Campegii, Romæ, 1568. (I owe a copy of this document to the kindness of Prof. Felice Tocco, of Florence.)

Tuscany to the Roman Church, and especially to him before his elevation, relieved them individually and universally from the penalties for heresy, including all disabilities decreed by his predecessors and by Frederic II., whether incurred by their own errors or by those of their ancestors. Catholic children of heretic parents were thus *ipso facto* restored to all privileges and were no longer liable to disinheritance. In the case of existing heretics it was necessary for them to appear before the inquisitors within a time to be named by the latter—excepting absentees in foreign lands, to whom a term of five months was allowed—to abjure heresy and receive penance, which was to be a secret one, involving neither humiliation, disability, or loss of property. Cases of relapse, however, were to be treated with all the rigor of the law. As this bull abrogated in Tuscany the constitutions of Frederic II., it required confirmation by Rodolph of Hapsburg, which was duly procured. For a while this extraordinary privilege seems to have been observed, for, in 1289, Nicholas IV., when anathematizing heretics and stimulating the zeal of inquisitors throughout Genoa, Lombardy, Romagnola, Naples, and Sicily, pointedly omits Tuscany from his enumeration. In time, however, it was either repealed or disregarded. No case could come more completely within its purview than that already referred to of Gherardo of Florence, dying prior to 1250 and prosecuted in 1313. His numerous children and grandchildren were good Catholics, and yet they were all disinherited and subjected to the canonical disabilities.*

Together with this exhibition of papal indulgence may be classed the occasional interference of the Holy See to moderate the rigor of the canons, or to repress the undue zeal of an inquisitor, when the sufferer had influence or money enough to attract the papal attention. It is pleasant to record three instances of this kind on the part of the despotic Boniface VIII., when, in 1297, he declared that Rainerio Gatti, a noble of Viterbo, and his sons had been prosecuted by the inquisitors on perjured testimony, wherefore the process was to be annulled and the accused and their heirs relieved from all stain of heresy; when, in 1298, he ordered the Inquisition to restore to the innocent children of a her-

* Cod. Epist. Rodulphi I. Lipsiæ, 1807, pp. 266-9.—Wadding. ann. 1289, No. 20.—Lami, Antichità Toscane, pp. 497, 536-7.

etic the property confiscated by Frà Andrea the inquisitor, and when he ordered Frà Adamo da Como, the inquisitor of the Roman province, to desist from molesting Giovanni Ferraloco, a citizen of Orvieto, whom his predecessors, Angelo da Rieti and Leonardo da Tivoli, had declared absolved from heresy. This Frà Adamo apparently rendered his office a terror to the innocent. May 8, 1293, we find him compelling Pierre d'Aragon, a gentleman of Carcassonne who chanced to be in Rome, to give him security in the heavy sum of one hundred marks to present himself within three months to the Inquisition of Carcassonne and obey its mandates. Pierre accordingly appeared before Bertrand de Clermont on June 19, and was closely examined, and then again on August 16, but nothing was discovered against him. Whether or not he recovered his one hundred marks from Frà Adamo does not appear, but the incident affords an illustration at once of the perfected organization of the Holy Office, and of the dangers which surrounded travellers in the countries where it flourished.*

The Inquisition was thus thoroughly established and at work in northern and central Italy, and heresy was gradually disappearing before its remorseless and incessant energy. To escape it many had fled to Sardinia, but in 1258 that island was added to the inquisitorial province of Tuscany, and inquisitors were sent thither to track the fugitives in their retreats.† There were two regions, however, Venice and the Two Sicilies, which thus far we have not considered, as they were in some sort independent of the movement which we have traced in the rest of the Peninsula.

Naples, like the other portions of southern Europe, had been exposed to the infection of heresy. At an early period missionaries from Bulgaria had penetrated the passes of the southern Apennines, and, in that motley population of Greek and Saracen and Norman, proselytes had not been lacking. The Norman kings, usually at enmity with the Holy See, had not cared to inquire too closely into the orthodoxy of their subjects, and had they done so the independence of the feudal baronage would have rendered

* Faucon, Registres de Boniface VIII. No. 1673, p. 632.—Wadding. ann. 1298, No. 3.—Arch. de l'Inq. de Carc. (Doat, XXVI. 147).

† Wadding. ann. 1285, No. 9, 10.

minute perquisition by no means easy. The allusions of the Abbot Joachim of Flora to the Cathari indicate that their existence and doctrines were familiar facts in Calabria, though as Rainerio makes no allusion to any Catharan church in Italy south of Florence it is presumable that the sectaries were widely scattered and unorganized. In 1235, when the Dominican convent in Naples was broken into by a mob and several of the friars were grievously wounded, Gregory IX. attributed the violence to friends of heretics.*

Frederic II., however much at times his policy might lead him to proclaim ferocious edicts of persecution, and even spasmodically to enforce them, had no convictions of his own to render him persistent in persecution, and his lifelong contest with the papacy gave him, secretly at least, a fellow-feeling with all who resisted the supremacy of the Holy See, whether in temporal or spiritual concerns. Occasional attacks such as that under the auspices of the Archbishop of Reggio, in 1231, or the form of secular inquisition which he instituted in 1233, had little permanent effect. Cathari driven from Languedoc, who perhaps found even Lombardy insecure, were tolerably sure of refuge in the wild and secluded valleys of Calabria and the Abruzzi, lying aside from the great routes of travel. The domination in Naples of Innocent IV. was too brief for the organization of any systematized persecution, and when Manfred reconquered the kingdom, although he seems to have felt his position too precarious to risk open toleration, and, under pressure from Jayme of Aragon, he ordered Bishop Vivian of Toulouse and his disciples, who had settled in Apulia, to leave his dominions, yet he went no further in active measures of repression.†

Charles of Anjou came as a crusader and as the champion of the Church. Scarce was his undisputed domination assured by the execution of Conradin, October 29, 1268, than we see him zealously employed in establishing the Inquisition throughout the kingdom. Numerous royal letters of 1269 show it actively at work, and manifest the solicitude of the king that the stipends and

* Tocco, L'Eresia nel Medio Evo, p. 403.—Reinerii Summa (Martene Thesaur. V. 1767).—Ripoll I. 74.

† Raynald. ann. 1231, No. 19. — Rich. de S. German. Chron. ann. 1233. — Giannone, Ist. Civ. di Napoli, Lib. XVII. c. 6, Lib. XIX. c. 5.—Vaissette, IV. 17.

the expenses of the inquisitors should be provided for, and that every assistance should be rendered by the public officials. Each inquisitor was furnished with a letter which placed all the forces of the State at his unreserved command. The Neapolitan Inquisition was fully manned. There was one inquisitor for Bari and the Capitanata, one for Otranto, and one for the Terra di Lavoro and the Abruzzi; and in 1271 one was added for Calabria and one for Sicily. Most of them were Dominicans, but we meet with at least one Franciscan, Frà Benvenuto. Yet no buildings or prisons seem to have been provided for them. The royal jails were placed at their disposal, and the keepers were instructed to torture prisoners on requisition from the inquisitors. Even as late as 1305 this arrangement appears to be in force.*

Charles's zeal did not confine itself to thus organizing and promoting the Inquisition. He supplemented its labors by instituting raids on heretics conducted under his own auspices. Thus, although there was an inquisitor for the Abruzzi, we find him, December 13, 1269, sending thither the Cavaliere Berardo da Rajano with instructions to investigate and seize heretics and their fautors. The utmost diligence was enjoined on him, and the local officials were ordered to assist him in every way, but there is no allusion to his mission being in co-operation with the inquisitor. Another significant manifestation of Charles's devotion is seen in his founding, in 1274, and richly endowing for the Dominicans the splendid church of San Piero Martire in Naples, and stimulating his nobles to follow his example in showering wealth upon it. Yet fifty years afterwards, in 1324, the building was still incomplete for lack of funds, when King Robert aided the construction with fifty ounces of gold, which he ordered the inquisitors to pay out of the royal third of the confiscations coming into their hands. This is interesting as showing how, in Naples, the profitable side of persecution was wholly under the control of the Holy Office.†

* Archivio di Napoli, MSS. Chioccarello T. VIII.—Ib. Regist. 3 Lett. A, fol. 64; Reg. 4 Lett. B, fol. 47; Reg. 5 Lett. C, fol. 224; Reg. 6 Lett. D, fol. 35, 39, 174; Reg. 10 Lett. B, fol. 6, 7, 96; Reg. 11 Lett. C, fol. 40; Reg. 13 Lett. A, fol. 212; Reg. 113 Lett. A, fol. 385; Reg. 154 Lett. C, fol. 81; Reg. 167 Lett. A, fol. 324.

† Archivio di Napoli, Reg. 6 Lett. D, fol. 135; Reg. 253 Lett. A, fol. 63.—Giannone, Ist. Civ. di Napoli Lib. XIX. c. 5.

Few details have been preserved to us of the activity of the Inquisition in Naples. We know that heretics continued to exist there, but the wild and mountainous character of much of the country doubtless afforded them abundant opportunities of safe asylum. Already, in August, 1269, a letter of Charles ordering the seizure of sixty-eight heretics designated by Frà Benvenuto shows that the work was being energetically prosecuted, and in another letter of March 14, 1270, there is an allusion to three others whom Frà Matteo di Castellamare had recently caused to be burned in Benevento. The inquisitors of Languedoc, moreover, made haste, as early as 1269, to send agents to Naples to hunt the refugees whom their severity had driven there, and Charles ordered every assistance to be rendered to them, which, perhaps, explains the success of Frà Benvenuto. Yet the perpetual necessity for royal interposition leads to the inference that the Inquisition was not nearly so effective in Naples as it proved in Languedoc and Lombardy. The royal authority seems to be required at every turn, partly because the king allowed little independent initiative to the inquisitors, and partly, perhaps, because the local officials did not lend as hearty a co-operation as they might have done. Thus the Neapolitan Inquisition, even under the Angevines, seems never to have attained the compact and effective organization of which we have seen the results elsewhere, though Charles II. was an eager persecutor who stimulated the zeal of his inquisitors, and his son Robert earned the name of the Pious. In 1305 we shall see Frà Tommaso di Aversa active in persecuting the Spiritual Franciscans, and in 1311, King Robert, at the instance of Frà Matteo da Ponza, ordered that all newly converted Jews should live scattered among Christians, so as not to be tempted back to Judaism.*

The ineffectiveness of the Neapolitan Inquisition is seen in the comparative security which attended an organized immigration of Waldenses from the valleys of the Cottian Alps. It was probably about 1315 that Zanino del Poggio, a Milanese noble, led forth the first band from Savoy, under specified guarantees of lands and privileges, after the intending emigrants had received the report of deputies sent in advance to survey the promised refuge. Fresh

* Archivio di Napoli, Regist. 3 Lett. A, fol. 64; Regist. 4 Lett. B, fol. 47; Reg. 9 Lett. C, fol. 39.—MSS. Chioccarello, T. VIII.

bands came to join them and a group of villages sprang up—Guardia Piemontese, or Borgo degli Oltremontani, Argentina, La Rocca, Vaccarizzo, and San Vincenzo in Calabria, while in Apulia there were Monteleone, Montanto, Faito, La Cella, and Matta. These were regularly visited by the "barbes," or missionary pastors, who spent their lives wandering around among the scattered churches, administering the consolations of religion and watching over the purity of the faith. The fierce persecutions conducted by François Borel led to further emigration on an enlarged scale, which naturally sought the Neapolitan territories as a haven of rest, until Apulia came to be regarded as the headquarters of the sect. That considerable bodies of heretics could thus establish themselves and flourish argues great negligence on the part of the Inquisition. In fact, its recognized inefficiency was shown as early as 1326, when John XXII. was in pursuit of some Fraticelli who had fled to Calabria; instead of calling upon the inquisitors he applied to King Robert and to the Duke of Calabria to capture them and hand them over to the episcopal tribunals.*

When, as the result of the Sicilian Vespers in 1282, the Island of Sicily passed into the hands of Pedro III. of Aragon, it was placed in the bitterest antagonism towards the Holy See, and no active persecution is to be looked for. In fact, in 1285, Martin IV., in ordering a crusade preached against Pedro, gives as one of the four reasons alleged in justification that heresy was multiplying in the island, and that inquisitors were prevented from visiting it. It was not till 1302 that Boniface VIII. was brought to accept the accomplished fact, and to acknowledge Frederic of Aragon as King of Trinacria. The Inquisition soon followed. In 1304 we find Benedict XI. ordering Frederic to receive and give all due assistance to Frà Tommaso di Aversa the inquisitor, and all other inquisitors who may be sent thither. The pope, however,

* Lombard, Jean Louis Paschal et les Martyrs de Calabre, Geneve, 1881, pp. 22–32.—Filippo de Boni, L'Inquisizione e i Calabro-Valdesi, Milano, 1864, pp. 73–77.—Perrin, Hist. des Vaudois, Liv. II. ch. 7.—Comba, Hist. des Vaudois d'Italie, I. 128, 181–6, 190.—Rorengo, Memorie Historiche, Torino, 1649, pp. 77 sqq.—Martini Append. ad Mosheim de Beghardis, p. 638.

Vegezzi-Ruscalla (Rivista Contemporanea, 1862) has shown the identity of the dialects of the Calabrian Guardia and of the Val d'Angrogna, proving the reality of the emigration.

did not erect it into a separate tribunal, but instructed the Holy Office of the mainland that its jurisdiction extended over both sides of the Faro. Yet the introduction of the Inquisition in the island was nominal rather than real except, as we shall see, with regard to the Templars, and Sicily long remained a safe refuge for the persecuted Fraticelli. Doubtless Arnaldo de Vilanova contributed to this by the picture which he presented to Frederic of the inquisitors of the day. They were a diabolical pest, trafficking in their offices, converting themselves into demons, never edifying the faithful, but rather making them infidels, as they abandoned themselves to hatred, greed, and lust, with no one to condemn them or to repress their fury. When, in 1328, the Archbishop of Palermo arrested a Fraticello, appeal was at once made to Frederic, and John XXII. wrote to the archbishop urgently commanding that the sect be extirpated, showing apparently that there was no Inquisition then at work.*

The Republic of Venice was always a law unto itself. Though forming part of the March of Treviso, its predominant interests in the thirteenth century lay to the east of the Adriatic, and it did not become a formidable power on the mainland until the acquisition of Treviso in 1339. That of Padua, in 1405, followed by Verona, Vicenza, Feltre, Belluno, and Brescia, greatly increased its strength, and in 1448 it wrenched Bergamo from the dukes of Milan. Thus its policy with regard to the Inquisition eventually controlled the whole of the March of Treviso, and a considerable portion of Lombardy.

That policy held at bay in all things the pretensions of the Holy See, and looked with extreme suspicion on whatever might give the popes an excuse for interference with either the domestic policy or the foreign enterprises of the Signoria. Fairly orthodox, though not bigoted, Venice held aloof from the strife between Guelf and Ghibelline, and was not involved in the anathemas lavished upon Ezzelin da Romano. Venice, in fact, was the basis of operations in the crusade against him, and it was a Venetian who

* Salimbene, p. 330.—Grandjean, Registres de Benoît XI. No. 834–5.—Pelayo Heterodoxos Españoles, I. 730.—La Mantia, Origine e Vicende dell' Inquisizione in Sicilia, Torino, 1886, p. 12.

led the expedition up the Brenta which captured Padua. Yet the republic made no haste to join in the movement for the extermination of heresy so energetically pushed by Gregory IX. and his successors. The Constitutions of Frederic II. were never inscribed in its statute-books. In 1229 the official oath of the Doge Giacopo Tiepoli, which, as is customary, contains the criminal code of the day, embodies no allusion to heresy or its suppression, and the same is true of the criminal statute of 1232 published by the same doge.*

It was about this time that the Inquisition was developed with all the aggressive energy of which Gregory IX. was capable, but it found no foothold in Venice. Yet the duty to punish heresy was at length recognized, though the civil authorities would abate no jot of their right to control the administration of justice in spiritual as well as in temporal matters. The official oath taken in 1249 by the Doge Marino Morosini contains a promise that certain upright and discreet and Catholic men shall be appointed, with the advice of the Council, to inquire after heretics. All heretics, moreover, who shall be delivered to the secular arm by the Archbishop of Grado or other bishops of the Venetian territories shall be duly burned, under the advice of the Council, or of a majority of its members. Thus a kind of secular Inquisition was established to search after heretics. The ancient jurisdiction of the episcopal courts was alone recognized, but the judgment of the bishops was subject to revision by the Council before the death-penalty could be inflicted.†

This could by no means be satisfactory to the papacy, and when the death of Frederic II. led to an immediate effort to extend the Inquisition through the territories hitherto closed to it, Venice was not forgotten. By a bull of June 11, 1251, Innocent IV. ordered the Frati Vicenzo of Milan, and Giovanni of Vercelli, to proceed to Venice and persecute heretics there with the same powers as those exercised by inquisitors elsewhere in Lombardy. Whether the good friars made the attempt to exercise these powers is questionable; if they did so, their ill-success is unquestionable. There is a document of 1256 which contains an oath to pur-

* Sarpi, Discorso (Opere, Ed. Helmstadt, IV. 20).

† Archivio Generale di Venezia, Codice ex Brera, No. 277, Carte 5.

sue heretics and to denounce them, not to the ecclesiastical tribunals, but to the doge or to the magistrates—an oath presumably administered to the secular inquisitors established in 1249. The same document contains a clause which indicates that the death-penalty threatened in 1249 had already been abrogated. It classes Cathari and usurers together: it alludes to the punishment decreed for those convicted of relapse into either sin, and shows that this was not capital, by providing that if the convict is a foreigner he shall be banished from Venice, but if a citizen he shall not be banished. Yet the death-penalty seems to have been restored soon afterwards, for, in 1275, the oath of Giacomo Contarini is the same as that of 1249, with the unimportant addition that the judgment of an episcopal vicar during the vacancy of a see can be substituted for that of a bishop.*

As the pressure of the Inquisition extended throughout Lombardy and the Marches, the persecuted heretics naturally sought a refuge in Venetian territory, where supervision was so much more negligent. It was in vain that about 1286 Frà Filippo of Mantua, the Inquisitor of Treviso, was sent by Honorius IV. with a summons to the republic to inscribe in its laws the constitutions against heresy of Frederic and of the popes. Although the example of the other cities of the Marca Trivigiana was urged, and Venice was repeatedly required to do the same, obedience was persistently refused. At length, in 1288, Nicholas IV. lost patience with this persistent contumacy. He peremptorily ordered the Signoria to adopt the imperial and papal laws, and commanded that the doge should swear not only not to impede the Inquisitor of Treviso in his duties, but to assist him. In default of obedience he threatened to proceed against the city both spiritually and temporally.†

The position of the republic was already indefensible under the public law of the period. It was so administering its own laws as to afford an asylum to a class universally proscribed, and it was refusing to allow the Church to apply the only remedy deemed appropriate to this crying evil. It therefore yielded to

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* Ripoll VII. 25.—Arch. di Venez. Miscellanea, Codice No. 133, p. 121; Cod. ex Brera, No. 277, Carte 5.

† Albizio, Risposta al P. Paolo Sarpi, pp. 20–3.—Wadding. ann. 1288, No. 23.

the inevitable, but in a manner to preserve its own autonomy and independence. It absolutely refused to incorporate in its own statutes the papal and imperial laws, but, August 4, 1289, it empowered the doge, Giovanni Dandolo, to give assistance to the inquisitor, when called upon, without referring each case to the Senate. A further wise provision decreed that all fines and confiscations should inure to the State, which in turn undertook to defray the expenses of the Holy Office. These were not light, as, in addition to the cost of making arrests and maintaining prisoners, the inquisitor received the liberal salary of twelve ducats a month. For this purpose the proceeds of the corn-tax were set aside, and the money was deposited with the Provveditore delle Viare, who disbursed it on the requisition of the inquisitor. This compromise was accepted by Nicholas IV., August 28, 1288, and was duly embodied in the official oath of the next doge, Piero Gradenigo. Thus, while the inquisitor had full opportunity of suppressing heresy, the temptation to abuse his office for purposes of extortion was reduced to a minimum, and the State, by retaining in its hands all the financial portion of the business, was able at any time to exercise control.*

The Inquisition was unaccustomed to submit to control, and soon chafed under these limitations. Already, in 1292, Nicholas IV. complained to Piero Gradenigo that the terms of the agreement were not carried out. The inquisitors, Bonagiunta of Mantua and Giuliano of Padua, reported that the papal and imperial laws against heresy were not enforced, and that under the arrangement for expenditures they were unable to employ a force of familiars sufficient to detect and seize the heretics. Heresy consequently, they said, continued to flourish in Venetian territory, for all of which Nicholas bitterly scolded the doge, and demanded such changes as should remove these scandals, but without effect. The Signoria, apparently, had not seen fit to abolish the office of secular inquisitors provided by the legislation of 1249. These were three in number, and were known as the "*tre Savi dell' eresia*," or "*assistenti*." It was hardly possible that a duplicate organiza-

* Albizio, op. cit. pp. 24–7.—Wadding. ann. 1289, No. 15.—Sarpi, op. cit. p. 21.—Arch. di Venez. Codice ex Brera, No. 277, Carte 41; Maggior Consiglio, Carte 67.

tion such as this could work without clashing. The situation became intolerable, and in 1301 Frà Antonio, the Inquisitor of Treviso, resolved to put an end to it. He notified the three Savi, Tommaso Viaro, Marino Zorzi, and Lorenzo Segico, to recognize no superior save himself. Their submission not being forthcoming, he proceeded to Venice, and addressed to the Doge Gradenigo a monition ordering him, under pain of excommunication, to swear to obey all the papal constitutions on heresy. Gradenigo refused, alleging that this would be a violation of his oath of office; the inquisitor withdrew his monition, and matters remained as before. Whatever hopes had been entertained that the entering wedge would enable the Inquisition to establish itself without restriction were foiled by the steadfastness of the republic. The three Savi continued their functions and, perhaps, even enlarged them; it had become customary for them to be selected from among the senators, and they acted in conjunction with the inquisitor in all cases coming within his jurisdiction. As Venice extended her conquests on the mainland, in all cities under her domination the *rettori* or governors performed this function, and their participation was required in all prosecutions for heresy, not only by the inquisitor, but by the bishops.*

In Italy, as in France, the history of the Inquisition during the fourteenth and fifteenth centuries is one of decadence. It is true that in Italy it had not to contend with the consolidation of power in the hands of a monarch, but the Captivity of Avignon and the debasement of the papacy under the influence of the French court, co-operating with the rise of the cities in wealth and culture, conduced to the same result; while the Great Schism, followed by the Councils of Constance and Basle, tended to emancipate the minds of men and foster independence. During the fourteenth century much of the inquisitorial activity was devoted to the new heresy of the Fraticelli, which will be referred to hereafter when we come to consider that remarkable religious movement. That movement, indeed, was the chief exception to the

* Wadding. ann. 1292, No. 5.—Albanese, L'Inquisizione nella Repubblica di Venezia, 1875, pp. 52–3.—Sarpi, loc. cit.—Cecchetti, La Repubblica di Venezia e la Corte di Roma, Venezia, 1874, I. 18.

decay in spiritual enthusiasm which diminished at once the veneration which the Inquisition inspired and the opposition of heterodoxy which constituted its *raison d'être.* As heretics grew fewer and poorer its usefulness decreased, its means of impressing the popular imagination disappeared, and its rewards grew less and less.

As regards the Cathari, the Inquisition had done its work too well. Unceasing and unsparing repression gradually annihilated the sect which, during the first half of the thirteenth century, seemed almost able to dispute with Rome the possession of Italy on equal terms. Yet when we see that the Waldenses, exposed to the same merciless rigor, were not extinguished, we recognize that some other factor besides mere persecution was at work to obliterate a belief which once enjoyed so potent an influence on the human mind that thousands for its sake went joyfully to a dreadful death. The secret must be looked for in the hopeless pessimism of the faith itself. There was in it nothing to encourage and strengthen man in the battle of life. Manes had robbed the elder Mazdeism of its vitality when he assigned to the Evil Principle complete dominion over Nature and the visible universe, and when he adopted the Sankhya philosophy, which teaches that existence is an evil, while death is an emancipation for those who have earned spiritual immortality, and a mere renewal of the same hated existence for all who have not risen to the height of the austerest maceration. As civilization slowly advanced, as the midnight of the Dark Ages began to yield to the approaching dawn of modern ideas, as the hopelessness of humanity grew less abject, the Manichæan theory grew less attractive. The world was gradually awakening to new aims and new possibilities; it was outgrowing the dreary philosophy of pessimism, and was unconsciously preparing for the yet unknown future in which man was to regard Nature not as an enemy, but as a teacher. Catharism had no possibility of development, and in that lay its doom.

The simple and earnest faith of the Waldenses, on the other hand, inculcated helpfulness and hopefulness, patience under tribulation, and an abiding trust in the watchful care of the Heavenly Father. The arduous toil of the artisan or husbandman was blessed in the consciousness of the performance of a duty. The virtues which form the basis of all Christian society—industry,

charity, self-abnegation, sobriety, chastity, thrift—were stimulated and cultivated, and man was taught that his fate, here and hereafter, depended on himself, and not on the ministration or mediation of his fellow-creatures, alive or dead. It was a faith which fitted man for the environment in which he had been placed by his Creator, and it was capable of adaptation to the infinite vicissitudes of human progress. Accordingly, it had proportionate vitality. Rooted out in one place, it grew in another. It responded too nearly to the needs and aspirations of multitudes ever to be wholly blotted out. There was always a propitious soil for its scattered seeds, and its resistance of inertia in the end proved too much for even the persistent energy of its destroyers.

Yet in Italy the Cathari lasted long after they had disappeared from France. Driven from the plains of Lombardy and central Italy, they took refuge in places less accessible. In 1340 we hear of them in Corsica, when Gerald, the Franciscan general, sent his friars thither, who succeeded in exterminating them for a time. In 1369 we again find Franciscans, under Frà Mondino da Bologna, zealously at work there, and earnestly supported by Gregory XI. In 1372 and 1373 Gregory wrote to the Bishops of Marrana and Ajaccio, and to Frà Gabriele da Montalcino, urging renewed activity, and, with singular lenity, authorizing them to remit the death-penalty in cases of single relapse. These hunted refugees were mostly in the forests and mountains, and to subdue them a chain of spiritual forts was established, in the shape of Franciscan houses. As late as 1397 a certain Frà Francesco was sent to Corsica in the double capacity of papal nuncio and inquisitor.*

On the mainland, in spite of the vigilance of the Inquisition, Cathari continued to exist in Piedmont. In 1388 Frà Antonio Secco of Savigliano had the good-fortune to lay hands on one of the active members of the sect, Giacomo Bech of Chieri, near Turin. The report of his examination before the inquisitor and the Bishop of Turin, which has been printed by Sig. Girolamo Amati, gives full details of the condition of the sect. After his tongue had been loosened by repeated applications of torture, his confes-

* Wadding. ann. 1340, No. 10; ann. 1369, No. 4; ann. 1373, No. 7; Regest. Gregor. PP. XI. No. 45–7; Tom. VII. p. 481.—Raynald. ann. 1372, No. 35.

sion shows that it was numerous in the vicinage, and that it comprised members of many noble families — the Patrizi, Bertoni, Petiti, Narro, and ancestors of Balbi and Cavour. Although in Italy, as in France, the name of Waldenses had become applicable to all heretics, and they were commonly designated by this name, they retained the moderated dualism of the Lombard Cathari. Satan fell from heaven, created the visible universe, and will finally return to glory. The law of Moses was dictated by him, and Moses was the greatest of sinners. Human souls are fallen demons, who transmigrate into other human bodies, or into those of animals, until released by death-bed *consolamentum*. The purity of the faith was maintained by occasional intercourse with its headquarters in Bosnia. Giacomo Bech was converted by a Slavonian missionary, in conjunction with Jocerino de' Balbi and Piero Patrizi, and the latter gave him ten florins and sent him to Bosnia to perfect himself in the doctrines, though he was compelled by ill-fortune at sea to return without accomplishing his pilgrimage. Forty years before one of the Balbi had gone thither for the same purpose; in 1360 a Narro and a Benso, Piero Patrizi himself in 1377, and Berardo Rascherio in 1380. Evidently the little community of Chieri maintained active relations with the heads of the Church. In 1370 Bech had fallen into the hands of the inquisitor, Frà Tommaso da Casacho, had been forced to confess, and had been released after abjuration in reward for his betraying his fellow-disciples.*

Frà Antonio's labors had been already rewarded by the discovery of another sect of Cathari in the valleys to the west and northwest of Turin. Their heresiarch was Martino del Prete, and the community of Chieri had vainly endeavored to win them over to unity. In Pignerol, Frà Antonio had, in November, 1387, arrested a suspected heretic named Antonio Galosna, who passed for a Franciscan Tertiary. The Inquisition in those parts was greatly dependent upon the secular authorities, and the Count of Savoy, Amadeo VII., was not disposed to second it with zeal. When Galosna at first denied, Antonio succeeded in having him tortured till he promised to tell everything if released from torture, and accordingly the next day he made confession; but Gio-

* Archivio Storico Italiano, 1865, No. 39, pp. 46–61.

vanni di Brayda, the chamberlain of Amadeo, and Antonio da Valencia, the Judge of Pignerol, promised him that if he would retract they would effect his deliverance. The Castellan of Pignerol, in whose charge he was, also offered to liberate him on receiving five florins for himself and seventy more for necessary expenses; but, although Galosna pledged all his property to raise the sum, this device seems to have failed. On December 29 he was brought before the count himself, after being warned by di Brayda that if he confirmed his confession he should be hanged. He accordingly retracted it, but was not liberated, and a month later, in the presence of the count and the inquisitor, he repeated that his confession had been extorted by violence. Apparently he was made the subject of a prolonged debate between State and Church, in which the latter triumphed, for on May 29 we find him in the possession of the Bishop of Turin and of the inquisitor, undergoing examination in the castle of Dross, near Turin.*

He proved a mine of information well worth the repeated interrogatories which extended from May 29 to July 10, for he had been a member of the sect for twenty-five years and a wandering missionary for fifteen, and was familiar with all the congregations, which appear to have been numerous, some in the neighborhood of Turin, but mostly in the lower Alpine valleys between Pignerol and Susa. Though he repeatedly alludes to the sectaries as Vaudois, they had no affinity with the Waldenses, and it is observable that he makes no reference to their existence in any of the distinctive Waldensian valleys, such as Angrogna, Perosa, or San Martino. They were mostly poor folk—peasants, servants, muleteers, innkeepers, mechanics, and artisans, and the chiefs of their "synagogues" were generally of this class, although occasionally a clerk, a canon, a notary, or other educated person is enumerated among the members. What were their precise distinctive tenets it is not easy to define with accuracy. Galosna's rough handling had evidently rendered him eager to satisfy the credulity of his examiners, and the imaginative character of some of his revelations casts a doubt on the truthfulness of them all. The applicant for initiation had to drink a beverage, foul of aspect, made with the excrement of a toad kept for the purpose; taken

* Archivio Storico Italiano, 1865, No. 39, pp. 32–5.

in excess it was apt to prove fatal, and its power was such that whoso once partook of it could never thereafter abandon the sect. Martino del Prete, the chief heresiarch, had a black cat as large as a lamb, which he declared to be the best friend he had on earth. We may safely set down the accounts of the sexual abominations which succeeded religious services in the conventicles, when the lights were extinguished, as worthy of equal credence. Contradictions in the repeated statements of the doctrines taught show that Galosna's imagination served him better than his memory in his prolonged examinations. He was told that in joining the sect he would secure salvation in glory with God the Father, and yet he declares that the sect rejected immortality, and held that the soul died with the body—and again, that there was no purgatory, but only heaven and hell hereafter. They believed, moreover, in God the Father who created the heavens, but they worshipped the Great Dragon, the creator of the world, who fought God and the angels, and was more powerful than he on earth. Christ was not the Son of God, but of Joseph, and was worthy of no special reverence. Altogether the account is hopelessly confused, but we can discern the dualism of a bastard Catharism, and allusions are made to the *consolamentum* and the sacrament of bread. Like Jacopo Bech, Galosna had already abjured in the hands of Frà Tommaso da Casacho. Both were therefore relapsed; there was no mercy for them, and on September 5, 1388, they were abandoned to the secular arm in Turin and necessarily burned. Unfortunately the record ends here, and we have no details as to the rich harvest which Frà Antonio must have reaped from the ample information obtained from his victims as to the scattered members of the sects.*

Notwithstanding these evidences of vitality, Catharism was rapidly dying out. The latest definite reference to it, west of the Adriatic, occurs in 1403, when San Vicente Ferrer, the great Spanish revivalist, undertook a peaceful mission in the remote valleys which no Catholic priest had dared to visit for thirty years, when he found and converted a number of Cathari dwelling among the Waldenses. He regarded as a form of Manichæism the worship

* Archivio Storico Italiano, 1865, No. 39, pp. 4–45.—G. Manuel di S. Giovanni, Un Episodio della Storia del Piemonte, Torino, 1874, pp. 75 sqq.

of the rising sun which he found habitual among the peasants of the diocese of Lausanne, and some such survival of nature-worship was probably not infrequent, for a penitent of Frà Antonio Secco, in 1387, speaks of adoring the sun and moon on bended knees. Yet there would seem to be a remnant of Catharism lingering among the Waldenses of the Savoy valleys as late as 1451, when Filippo Regis was tried by the Inquisition.*

Italian Waldensianism continued to flourish in the mountain fastnesses of Piedmont, where the endless struggle with parsimonious nature fostered the hardier virtues. Thence, as we have seen, were emigrants and even colonies sent out, as persecution scattered the faithful or as population outgrew the narrow means of subsistence. The kindlier climate and less aggressive Inquisition of Naples finally rendered the southern colonies the headquarters of the sect, with which constant intercommunication was kept up. In 1387 we are told that the chief pontiff resided in Apulia and that the Waldensian community at Barge in Piedmont was presided over by two Apulians. A century later the mother communities in the Cottian Alps still looked to southern Italy as to the centre of their Church.†

In 1292 we hear of persecutions in the Val Perosa, and again in 1312 there were burnings of obstinate heretics in the valleys, but these efforts effected little, for in 1332 a brief of John XXII. describes the Waldensian church of the diocese of Turin as being in a most flourishing condition. The heretics were so numerous that they disdained concealment, holding assemblies in public in which as many as five hundred would be gathered together. When Frà Giovanni Alberto, the Inquisitor of Turin, had recently made an effort to repress them, they boldly rose in arms. On the public square of Angrogna they slew the parish priest Guillelmo, whom they suspected of furnishing information, and Alberto himself they besieged in a castle where he had taken refuge, so that he was glad to escape with his life, leaving the land abandoned to

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* Raynald. ann. 1403, No. 24.—Archiv. Stor. Ital. 1865, No. 38, p. 22.—Comba, Les Vaudois d'Italie, I. 120.

† Processus contra Valdenses (Archivio Storico Italiano, 1865, No. 38, pp. 39–40).—Comba, Hist. des Vaudois d'Italie, I. 354–7.

heresy. For twenty years and more one of their principal chiefs had been a man named Pier Martino, known also as Giuliano or Martino Pastrae, who chanced in his wandering missions to fall into the hands of Jean de Bades, the Inquisitor of Provence. The pope thereupon orders the latter to deliver his prisoner to Frà Alberto, who will be able to extract from him information of the utmost value in tracking and seizing his fellow-religionists—information, as the pope suggests, which will justify the use of torture. Doubtless this lucky capture enabled Frà Alberto to lay hands on a number of outlying heretics, though he probably did not again venture his person in the populous communities which had shown so sturdy a readiness in self-protection.*

Persecution continued, and in 1354 we chance to hear of an order issued by Giacomo, Prince of Piedmont, to the Counts of Luserna, to imprison a number of Waldenses recently discovered in Luserna and the neighboring valleys. The order was issued at the instance of Pietro di Ruffia, Inquisitor of Piedmont, who paid for his zeal with his life, being shortly afterwards slain at Susa. In 1363 and 1364 Urban V. made another attempt to reduce the heretics to obedience. The infected district was exposed to attack on both sides, for the jurisdiction of the Inquisitor of Provence extended over the Tarantaise. Frère Jean Richard of Marseilles was directed to assail them from the west, while the inquisitor and the Bishop of Turin were busy on the east. Amadeo of Savoy was requested to co-operate with the Seneschal of Provence, and this combined assault resulted in a number of captures and trials. It was doubtless the mingled despair and thirst for revenge excited by this that led to many Waldenses joining in the rising of the Jacquerie in Savoy in 1365—a rising which was suppressed with the customary merciless cruelty by the King of Navarre and Wenzel of Brabant. In spite of these efforts at repression a letter written by them in 1368, to their German brethren, would seem to show that they were still regarded as the leaders of the sect.†

* Comba, Hist. des Vaudois d'Italie, I. 141.—Herzog, Die romanischen Waldenser, p. 273.—Wadding. ann. 1332, No. 6.

† Rorengo, Memorie Historiche, Torino, 1649, p. 17.—Wadding. ann. 1364, No. 14, 15. — Cantù, Eretici, I. 86. — D'Argentré, Collect. Judic. I. I. 387. — Comba, Rivista Cristiana, 1887, pp. 65 sqq.

Gregory XI. was especially zealous in the warfare with heresy, and we have already seen how earnest were his efforts in 1375 to suppress the Waldenses of Provence and Dauphiné. Those of Piedmont had rendered themselves peculiarly obnoxious. Frà Antonio Pavo had recently gone to "Bricarax," a place deeply infected with heresy, to preach against them—his sermon, of course, including a summons before his tribunal—when in place of humbly submitting, a dozen of them, incited by the Evil One, had set upon him as he left the church and had slain him. Another inquisitor, probably Pietro di Ruffia, had met the same fate in the Dominican cloister at Susa, on the day of the Purification of the Virgin (February 2). Such misdeeds demanded exemplary chastisement, and Gregory's exhortations to Charles V. of France were accompanied with the strongest urgency on Amadeo VI. of Savoy to clear his land of brambles. We have seen how successful were the labors of the Nuncio, Antonio Bishop of Massa, and the Inquisitor of Provence, François Borel. They did not confine their energies to the French valleys. The Waldenses of the Val di Susa were exposed to the most pitiless persecution; on a Christmas night Borel with an armed force attacked Pragelato, putting to the sword all whom he could reach. The wretches who escaped perished of hunger and cold, including, it is said, fifty women with children at the breast.*

It may be hoped that this holocaust satisfied the manes of the murdered inquisitors, for they seem to have received no other satisfaction. A succession of inquisitors — Piero di Castelmonte, Ruffino di Terdona, Tommaso da Casacho, and Michele Grassi, undaunted by the fate of their predecessors, wasted their energies on the Piedmontese Waldenses without reducing them to subjection. The pitiless forays of Borel drove the poor wretches from their native valleys, and they poured over into Piedmont. Amadeo VII., who succeeded his father in 1383, seems to have given the Inquisition but slender support, and it had little encouragement in its efforts to subdue the stubborn mountaineers. The fragmentary records of Frà Antonio Secco, who undertook the work in the spring of 1387, show how fruitless was the endeavor to co-operate

* Raynald. ann. 1375, No. 26.—Filippo de Boni, L'Inquiz. e i Calabro-Valdesi, p. 70.

with the ruthless proselytism of Borel. It is true that he caught Isabel Ferreria, the wife of Giovanni Gabriele, one of the murderers of Antonio Pavo, and had the satisfaction of torturing her, but he could get no evidence against her, and could only learn that her husband had died in 1386. Some other suspects he tortured and penanced with crosses: apparently he had no prisons at his disposal in which to incarcerate them. Accusations and denunciations poured in to him by the hundred, showing that the land was alive with heretics, but he was powerless to inflict on them punishment that would make an impression. One of his first cases had been a certain Lorenzo Bandoria, who had abjured before Antonio Pavo, and who under torture confessed to continued heresy. Here was a clear case of relapse, and accordingly, on March 31, he was abandoned to the secular arm and all his property declared confiscated to the Inquisition. This proved a mere *brutum fulmen*, for on May 6 Frà Antonio was obliged to issue a mandate to Ugonetto Bruno, Lord of Ozasco, ordering him, under pain of a hundred marks, to capture Lorenzo and present him before the tribunal the next day, while the treasurer of Ozasco was required, under threat of excommunication, to appear at the same time with an inventory of all the convict's property. As Lorenzo had been handed over to the Castellan of Pignerol for execution, it is evident that the officials refused to carry out the sentences of the inquisitor, nor does this new effort appear to have had any better result. Many of his citations were disregarded, and when, on May 19, he ordered the lords of Ozasco to arrest three heretics under penalty of a hundred marks, no attention seems to have been paid to the command. This insubordination increased, and as the season advanced we observe that when an accused refuses to confess, the dread entry "the lord inquisitor is not content" is not followed by the customary torture, but that the culprit is mercifully dismissed under bail. One case gave Frà Antonio infinite disgust. On June 27 he cited Giacomo Do and Sanzio Margarit of Sangano; they did not appear, but on August 6 he found them in Turin and seized them. For fifteen days he kept them in chains, when they broke jail, but by the help of God he caught them again and carried them to the castle of Avegliana, where they remained ten days. He had been unable to get them tortured, and they would not confess without it; the magistrates

of Avegliana appealed to Count Amadeo, who ordered them released, and Fra Antonio records the unwillingness with which he obeyed the command. He endeavored to turn his stay in Avegliana to account by publishing the customary monition for all persons to come forward and confess their own heresy or denounce those who were suspect. For nine days he waited, but not a soul appeared to accuse himself or his neighbors, and he departed, grieved at heart over the obduracy of the people, for it was common fame that there were many heretics there and in the neighborhood, especially at Coazze and Valgione. The final blow came when in December he issued a summons to all the officials of Val Perosa, one of the recognized Waldensian valleys, reciting that their land was full of heretics and that they must appear before him in Pignerol to purge themselves and their communities of this infamy. They did not obey, but through the intervention of the Piedmontese Chancellor, Giovanni di Brayda, and other courtiers, they agreed to pay Count Amadeo five hundred florins a year, for which he was to prevent the inquisitor from visiting Val Perosa, and they were to be exempted from obeying his citations. This was too much to endure, and Frà Antonio shook the dust of Pignerol from his feet for the more promising chase of the Cathari near Turin, first denouncing the officials of Val Perosa as having incurred excommunication and the penalties of contumacy, the only result of which was to draw upon his head the wrath of Count Amadeo. It does not appear that he had any better success in endeavoring to obtain for his Inquisition the confiscations of the people of Pragelato condemned by the Provençal inquisitor, Francois Borel. By a special privilege of Clement VII. the latter's jurisdiction had been extended over some of the Piedmontese valleys, and though Frà Antonio might abandon the persons of the heretics to his Franciscan rival, he was resolved, if he could, to retain their property. These mishaps of Frà Antonio have an interest, not only as a rare instance of difficulties thrown into the path of the Inquisition, but as explaining why the fierce persecutions of Borel had so little effect in diminishing Waldensianism.*

* Processus contra Valdenses (Archivio Storico Italiano, 1865, No. 38, pp. 18–52).

There is some confusion as to the dates of these events which I cannot remove.

Pragelato, however, suffered more severely in 1400 when, about Christmas, it was attacked by an armed force from Susa. The inhabitants who escaped death or capture took refuge on the mountain-tops of the Val San Martino, where many perished from exposure in the inclement season; and the survivors, on returning after the departure of the troops, found their dwellings dismantled. This cold-blooded cruelty shocked even Boniface IX., who ordered the inquisitor in charge of the foray to moderate his zeal in future.*

Vicente Ferrer's visit of 1403 was of a more peaceful nature, but it is not likely that the conversions of which he boasted were more permanent than those which his eloquence effected with the Moors and Jews of his native land, where they eagerly clamored for baptism under the persuasion of massacre.†

During the Great Schism persecution slackened, but already, in 1416, fresh decrees were issued against the Waldenses. Our knowledge of details is but fragmentary at best, and it is impossible to construct a complete history of the conflict between them and the Inquisition, but we may fairly infer that the latter was at least spasmodically active. A petition addressed to the Duke of Savoy by the lords of Luserna recites that the inhabitants of the valley were in full rebellion, owing to repeated persecution; the document is without date, but must be posterior to 1417, when Sigismund erected the county into a duchy. Again, we know that, between 1440 and 1450, Frà Bertrando Piero, vicar of the inquisitor, in one raid burned at Coni twenty-two relapsed heretics, and confiscated their property. This happens to be alluded to in a me-

Gregory XI., in his letter of April 20, 1375, to Amadeo VI., speaks of the recent murder at "Bricherasio" of the inquisitor Antonius Salvianensis (Raynald. ann. 1375, No. 26). According to the records of Antonio Secco, Antonio Pavo da Savigliano received in 1384 the abjuration of Lorenzo Bandoria (loc. cit. p. 23), and his murder must have taken place the same year, from the evidence of the son of one of his murderers, Giov. Gabriele of "Bricherasio" (Ib. p. 31). Rorengo places the martyrdom of Antonio Pavo in 1374, and tells us that he was honored in Savigliano with a local cult as one of the blessed. Another Dominican, Frà Bartolomeo di Cervere was also slain, and his assistant Ricardo desperately wounded, but the date is not certain (Rorengo, Memorie Historiche, p. 17).

* Chabrand, Vaudois et Protestants des Alpes, Grenoble, 1886, p. 39.

† Raynald. ann. 1403, No. 24.—Melgares Marin, Procedimientos de la Inquisicion, Madrid, 1886, I. 50.

morial addressed in 1457 to Calixtus III., by the people of the neighboring village of Bernez, who proceed to relate that after this exploit Frà Bertrando visited their town in company with his principal, Frà Ludovico da Soncino, and commenced an inquisition there, but abandoned it, to the scandal of the people, without concluding the trials. Then Felix V. (Amadeo of Savoy) sent the Abbot of San-Piero of Savigliano to complete the unfinished business, who acquitted a number of the accused. Then recently there had come a new inquisitor who took up the cases again and molested those who had been discharged, whereupon they petitioned the pope that he be restrained from further proceedings until two experts in theology be appointed as assessors by the Bishop of Mondovi and the Abbot of Savigliano. The presentation of such a request shows how much the Inquisition had lost of its power of inspiring awe, and this is emphasized by the action of Calixtus in ordering the Bishop of Turin and the inquisitor to associate with themselves two experts and proceed with the cases. It indicates, moreover, that little rest was allowed to the Waldenses. While this affair was dragging its slow length along, Nicholas V., in 1453, addressed to the Bishops of Turin and Nice and to the Inquisitor Giacomo di Buronzo, a bull reciting that Giacomo had found in the Valley of Luserna a majority of the inhabitants infected with heresy, many of them having relapsed repeatedly. Unable to convert them, he had placed an interdict on the valley; the people had repented and begged for readmission to the Church, wherefore Nicholas orders the removal of the interdict, and that penitents, whether relapsed or not, be pardoned and restored to all their civil rights—a degree of lenity which indicates that sterner measures at the time were clearly inexpedient.*

In 1475 a more serious war of extermination was commenced against them under the Duchess Yolande, Regent of Savoy, in conjunction with the simultaneous action of the Inquisition in Dauphiné. By an edict of January 23, 1476, all the officials in the infected districts were placed at the disposition of the Inquisition, and the podestà of Luserna was cited to appear on February 10, to answer for his conduct, in refusing, at the instance of the In-

* Rorengo, Memorie Historiche, pp. 18–20.—E. Comba, Rivista Cristiana, Giugno, 1882, p. 204.—Ripoll III. 359.

quisitor Andrea di Aquapendente, to make proclamation that none of the converts of Giacomo di Buronzo should be permitted to effect sales greater in amount than one florin, and that all sales which had been made by them were void, for they had relapsed, were endeavoring to emigrate, and to dispose of their property, which was legally confiscated. Louis XI., who stopped the persecution, as we have seen, so unceremoniously in his own dominions, felt interest enough in the matter to extend protection over the unfortunates in his sister's territories, and his word had power sufficient to dampen the zeal of the duchess, who was wholly dependent on him after the misfortunes of Charles the Bold. Sixtus IV. was much scandalized by this. He had sent a special papal commissioner to speed the holy work, and he wrote pressingly to Louis, assuming that the royal letters of protection must have been surreptitiously obtained. He instructed the Bishop of Turin to go, if possible, in person to Louis and to make every effort to exterminate the heretics, who dared openly to propagate their doctrines and make converts, to the ruin of immortal souls. The death of Louis, in 1483, deprived the Waldenses of their protector, and persecution recommenced. An order of Duke Carlo I., in 1484, to inquire into the violences committed by the people of Angrogna, Villaro, and Bobbio because their lords endeavored to suppress their heresies, shows how soon and how bitterly the struggle broke out afresh. The heretics scattered through the towns of Piedmont were mercilessly dealt with by the inquisitors, but those who inhabited the mountain valleys were safe, except from assault by overwhelming forces. In April, 1487, Innocent VIII. recites how the inquisitor-general, Frà Blasio di Monreale, had gone to the infected district, and had vainly sought by earnest exhortations to induce the heretics to abandon their errors; how they had contemptuously defied his censures, had continued openly to preach and make converts, had attacked his house, slain his familiar, and pillaged his goods. More strenuous efforts were evidently requisite, and Innocent appointed Alberto de' Capitanei, Archdeacon of Cremona, as papal nuncio and commissioner to Piedmont and Dauphiné, with instructions to coerce the people to receive Frà Blasio, and permit the free exercise of his office, and to crush the heretics like venomous serpents. To this end Alberto was empowered to preach a crusade with plenary indul-

gences, and to deprive of their office and dignities all, whether ecclesiastics or laymen, who refused to obey his commands. From February to May, 1488, he duly issued his citations to the heretics, and as they were contumacious, he condemned them accordingly and abandoned them in mass to the secular arm. Meanwhile a force estimated at eighteen thousand crusaders had been raised in France and Piedmont, which advanced in four columns so as to block every avenue of escape. The slaughter in Val Louise has already been alluded to. The Val d'Angrogna was more fortunate, and in the attack upon it the crusading army was virtually annihilated. This victory earned for the Waldenses a respite, and in 1490 Carlo I. invited them to a conference at Pignerol, where he granted them peace and confirmed their privileges. In 1498 they were visited by Lucas of Prague and Thomas Germanus, envoys of the *Unitas Fratrum* of Bohemia. Through these they addressed a letter to the Bohemian King Ladislas and his nobles, boasting that they did not frequent the Catholic churches, fiercely denouncing the vices of the priesthood, and arguing that the benediction of such men was rather a malediction. Evidently the spirit of the persecuted saints was unbroken, and it was soon after put to the test in the valley of the Po, where whole villages were found to consist of Waldenses. Marguerite de Foix, Marchioness of Saluces, put troops at the command of the Inquisitor Angelo Ricciardino, who had found his ordinary machinery baffled. The villages of Pravillelm, Beitoneto, and Oncino were raided; most of the inhabitants succeeded in escaping to Luserna, but some were captured, and five were sentenced to be burned, March 24, 1510. A heavy snow-storm delayed the execution, and during the ensuing night the prisoners broke jail and joined their comrades. The inquisitor, however, was not to be balked of his exhibition, and replaced the fugitives with three prisoners to whom he had promised pardon in consideration of the fulness of their confessions, and who were duly burned. The deserted villages were confiscated and made over to good Catholics, but the refugees at intervals descended on them, slaying and spoiling without mercy, till no one dared to dwell there. Finally the bigoted marchioness yielded, and for a round sum of money, in 1512, permitted the exiles to return and dwell in peace. The triumph of toleration thus won by the sword was but local and temporary.

In Savoy, the statutes published in 1513 contain all the time-honored provisions for the suppression of heresy, with instructions to all public officials to aid in every way the Inquisition, whose expenses are to be defrayed out of the confiscations. Continued persecution was thus provided for, nor was it averted when, in 1530, the Waldenses opened negotiations with the Protestants of Switzerland, resulting in their final incorporation with the Calvinists.*

These incessant ravages naturally led to emigration on an extended scale, which, as we have seen, mostly turned itself to Calabria and Apulia, where the brethren had dwelt in comparative peace for nearly two centuries. A large portion of the population of Freyssinières, for instance, expatriated themselves and settled in the valley of Volturara. The Inquisition was virtually extinct in the kingdom of Naples during the fifteenth century, and the heretics had earned toleration by a decent reserve. They attended mass occasionally, allowed their children to be baptized by the priests, and, what was more important, they paid their tithes with exemplary regularity — tithes which grew satisfactorily under the incessant industry of the God-fearing husbandmen. The mountain valleys which had been almost a desert became smiling with corn-fields and pastures, orchards and vineyards. The nobles on whose lands they had settled under formal agreements gave willing protection to those who contributed so greatly to their revenues. When the independence of the feudatories was lost under the growing royal power of the House of Aragon, the heretics sought and obtained, in 1497, from King Frederic, the confirmation by the crown of the agreements with the nobles, and thus felt assured of continued toleration. They were visited every two years by the travelling pastors, or *barbes*, who came in pairs, an elder, known as the *reggitore*, and a younger, the *coadiutore*, journeying with some pretence of occupation, finding in every city the secret band of believers whom it was their

* Hahn, Geschichte der Ketzer im Mittalalter, II. 705. — Rorengo, Memorie Historiche, pp. 22–5.—Martene Ampl. Coll. II. 1510–11.—Leger, Hist. des Églises Vaudoises, II. 8–15, 26, 71.—Perrin, Hist. des Vaudois, L. II. c. 4. — Filippo de Boni, op. cit. p. 71.— Comba, Les Vaudois d'Italie, I. 167, 175–8.— Herzog, Die roman. Waldenser, p. 274.—Montet, Hist. Litt. des Vaudois, pp. 152–55.—D'Argentré, Coll. Judic. I. I. 105–7.

mission to comfort and keep steadfast in the faith, and from whom they made collections which they reported to the General Assembly or Council. Between Pignerol and Calabria they counted twenty-five days' journey along the western coast, returning by the eastern to Venice. Everywhere they met friends acquainted with their secret passwords, and in spite of ecclesiastical vigilance there existed throughout Italy a subterranean network of heresy disguised under outward conformity. In 1497 the envoys from the Bohemian Brethren, Lucas and Thomas, found in Rome itself one of their faith, whom they bitterly reproached for concealing his belief. In Calabria, in 1530, it was estimated that they numbered ten thousand souls, in Venetia, six thousand. The fate of these poor creatures, after generations of peaceful existence which might well seem destined to be perpetual, belongs to a period beyond our present limits, but the fact that they could thus prosper and increase shows how rusty had grown the machinery of the Inquisition, and how incapable had become its officials.*

It only remains for us to note cursorily such indications as have reached us of the activity and condition of the Inquisition in the several provinces of Italy during the fourteenth and fifteenth centuries. In Savoy, as we have seen, the bitter contest with the Waldenses kept it in fair working condition, while it was gradually falling into desuetude elsewhere, although in Lombardy it still, for a while, maintained its terrors. We have a somewhat vague description of its sleepless vigilance in 1318, in pursuing certain heretics who are described as Lollards — whether Begghards or Waldenses does not appear, but probably the latter, as we are told that when concealment became impossible the men escaped to Bohemia, leaving some women with children at the breast, whereupon the women were burned, and the children given to good Catholics to be brought up in the faith. In 1344 we hear of a great popular excitement, caused by the belief that a number of victims of the Inquisition had suffered unjustly. Matters went so far that the Imperial Vicar, Lucchino Visconti, asked Clement VI. to order an

* Filippo de Boni, op. cit. pp. 79–81.—Lombard, Jean-Louis Paschale, pp. 29–33.—Perrin, Hist. des Vaudois, B. II. ch. 7, 10.—Comba, La Reforma, I. 269.—Vegezzi-Ruscalla, Rivista Contemporanea, 1862.—Camerarii Hist. Frat. Orthodox. p. 120.

investigation, which was duly held, though we do not know the result. It was possibly the feeling thus aroused which led, in 1346, to the murder in the Milanese of a Franciscan inquisitor conspicuous for his persecuting zeal. The perpetual troubles during the century between the Holy See and the Visconti cannot but have greatly interfered with the efficiency of persecution. In the collected statutes of the Dukes of Milan from 1343 to 1495 there is no allusion of any kind to the Inquisition, or to the punishment of heretics. There is, however, on record a decree of 1388 placing the civil officials at the service of the Inquisition, but it enforces the conditions of the Clementines, which require episcopal consent to the use of torture and harsh prison, and to the final sentence. It moreover threatens inquisitors with punishment for using their office to extort money or gratify malice; and it further significantly commands them not to abuse the privilege of armed familiars, or to unnecessarily multiply their officials. How the political passions of the time hindered the functions of the Holy Office is seen in the case of Frà Ubertino di Carleone, a bustling Franciscan, subsequently Bishop of Lipari, who, about 1360, was accused of heresy by the Inquisitor of Piacenza. He at once proclaimed that his Ghibellinism was the motive of the prosecution, and aroused the factions of the city to a tumult, under cover of which he escaped.*

Inquisitors, indeed, continued to be regularly appointed, and to perform such of their functions as they could, but the decline in their usefulness is shown by one of the earliest acts of Martin V., in 1417, before leaving Constance, in commissioning the Observantine Franciscan, Giovanni da Capistrano, as a special inquisitor against the heretics of Mantua. From this time, in fact, when any effective effort against heresy was called for, the regular machinery of the Inquisition was no longer relied upon. It seems to have been regarded as effete for all the purposes for which it had been instituted, and special appointments were necessary of men devoted to the work, such as Capistrano and his friend Giacomo

* Bremond in Ripoll II. 139. — Raynald. ann. 1344, No. 9, 70. — Antiqua Ducum Mediolani Decreta, Mediolani, 1654. — Albanese, L'Inquisizione religiosa nella Repubblica di Venezia, Venezia, 1875, p. 167. — Giuseppe Cosentino, Archivio Storico Siciliano, 1885, p. 92.

della Marca. Just as the inquisitorial jurisdiction had superseded the episcopal, so now both were overslaughed as insufficient. Thus, in 1457, when a new heresy sprang up in Brescia and Bergamo concerning Christ, the Virgin, and the Church Militant, infecting both clergy and laity, and including suspicion of sorcery, Calixtus III. ordered his nuncio in those parts, Master Bernardo del Bosco, to seize the heretics and try them, with even more than the privileges of an inquisitor, for he was empowered to proceed to final judgment and execution without appeal, leaving it to his discretion whether he should call for advice upon the inquisitors and episcopal ordinaries. Two years later, in the case of Zanino da Solcia, to which I shall recur hereafter, the sentence was rendered by the Lombard inquisitor, Frà Jacopo da Brescia, but the examination took place in the presence of Master Bernardo del Bosco, who moreover received the abjuration of Zanino, and the sentence was sent to Pius II. and was modified by him. The diminution of popular respect for the Inquisition was still further manifested in 1459, by the doubts publicly expressed of the validity of the bulls of Innocent IV. and Alexander IV. authorizing inquisitors to preach crusades against heretics and to prosecute for heresy all persons and communities impeding them, so that Calixtus III. was obliged to reissue the authorization.*

A curious case occurring about this time illustrates the growing indifference felt in Lombardy for the Inquisition. In Milan, about 1440, a learned mathematician, named Amadeo de' Landi, was accused of heresy before the inquisitors. During the progress of his trial he was, to the great damage of his reputation, denounced as a heretic by sundry friars in their sermons, and among others by Bernardino of Siena, the saintly head of the Observantines. The Inquisition pronounced him a good Catholic and discharged him, but those who had slandered him offered no reparation. The acquittal by the Inquisition apparently did not outweigh the denunciations of Bernardino, and Amadeo appealed to Eugenius IV., who referred the matter to Giuseppe di Brippo, with power to enforce his decision with censures. Giuseppe summoned the detractors to appear on a certain day, and on their failing to

* Ripoll II. 351; III. 368.—Wadding. ann. 1452, No. 14.—Raynald. ann. 1457, No. 90; ann. 1459, No. 31.

present themselves condemned Bernardino to make public retraction under pain of excommunication. Bernardino paid no heed to this, and on his death in 1444, when immediate efforts were made for his canonization, Amadeo raised great scandal by proclaiming that he had died in mortal sin as an excommunicate. This gratified the jealousy of the conventual branch of the Franciscans and many of the secular clergy, who spread the scandal far and wide. By this time, however, the Observantines were too influential for such an assault upon their revered vicar-general to be successful; and in 1447 they obtained from Nicholas V. a bull in which he annulled all the proceedings of Giuseppe, ordered every record of them to be destroyed, imposed silence on the unlucky Amadeo, declared Bernadino to have acted righteously throughout, and forbade all clerks, friars, and others from indulging in further detraction concerning him. I may add that the opposition of the Conventuals was powerful enough to postpone until 1450 the canonization of San Bernardino, and a humorous incident in the struggle may be worth mention. When the blessed Tommaso of Florence died at Rieti in 1447, and immediately began to coruscate in miracles, Capistrano hurried thither and forbade him to display further his thaumaturgic powers until Bernardino should be canonized—and Tommaso meekly obeyed.*

Yet, shorn as the Inquisition had become of real effectiveness for its avowed functions, the office continued to be sought, doubtless because it conferred a certain measure of importance, and possibly because it afforded opportunity of illicit gains. Inquisitors were regularly appointed, and the custom grew up in Lombardy that in each city where a tribunal existed vacancies were filled on the nomination of the prior of the local Dominican convent with the assent of discreet brethren, whereupon the General Master of the Order issued the commission. In 1500 this was modified by giving the Vicar-general of Lombardy power to reject or ratify the nomination. The subordinate position to which the inquisitorial office had fallen is illustrated in the last decade of the fifteenth century by Frà Antonio da Brescia, who was inquisitor of his native place, and who was claimed as an ornament of the Dominican Order, but his eulogist has nothing to say as to his perse-

* Wadding. ann. 1447, No. 8, 47; ann. 1450, No. 2.—Raynald. ann. 1446, No. 8.

cuting heretics, while praising his pulpit labors in many of the Italian cities.*

In Venice, as we have seen, the Inquisition never succeeded in shaking off the trammels of state supervision and interference. In what spirit the State regarded its relations with the Holy Office was exhibited in 1356, when Frà Michele da Pisa, the Inquisitor of Treviso, imprisoned some Jewish converts who had apostatized. This was strictly within his functions, but the secular officials interposed, forbade his proceeding to try his prisoners, seized his familiars, and tortured them on the charge of pilfering the property of the accused. These high-handed measures provoked the liveliest indignation on the part of Innocent VI., but the republic stood firm, and nothing seems to have been gained. In the correspondence which ensued, moreover, there are allusions to former troubles which show that this was by no means the first time that Frà Michele's labors had been impeded by the secular power. Sometimes, indeed, the Signoria completely ignored the Inquisition. In 1365 a case in which a prisoner had blasphemed the Virgin was brought before the Great Council, which ordered him to be tried by the vicar of the Bishop of Castello, and on conviction to be banished, thus prescribing the punishment, and recognizing only the episcopal jurisdiction.†

In 1373 Venice was honored with the appointment of a special inquisitor, Frà Ludovico da San-Martino, while Frà Niccolò Mucio of Venice was made Inquisitor of Treviso. This led to some debate about their partition of the great Patriarchate of Aquileia, which extended from the province of Spalatro to that of Milan. The Patriarchate of Grado (which was not transferred to Venice till 1451) was adjudged to Ludovico, together with the see of Jesol. This latter place, though close to Venice, was then, we are told, in ruins, with a roofless cathedral serving as a place of refuge for heretics, who there felt safe from persecution. This partition did not improve the position of the inquisitor, whose importance was reduced to a minimum. He seems, in fact, to be regarded only as

* Ripoll IV. 6, 102, 103, 158, 339.—Brev. Hist. Magist. Ord. Prædic. (Martene Coll. Ampl. VI. 393).

† Wadding. ann. 1356, No. 12–19.—Arch. di. Venez. Misti, Conc. X. Vol. VI. p. 26.

a functionary of the state police. In 1412 the Great Council orders him, April 17, to put an end to the performance of divine service by a Greek priest named Michael, whose celebrations attract great crowds, and also to banish him, taking care to so manage the affair that the interposition of the council may not be suspected; and a month later, May 26, the order of banishment is revoked, but the prohibition of celebration is maintained. In all his proper functions the inquisitor was overslaughed and disregarded. In 1422 the Council of Ten appointed a commission to examine some Franciscans charged with sacrificing to demons and other abominable practices, and a month later they sent to Martin V., requesting powers to terminate the matter, in view of the immunities enjoyed by the Mendicants. When, in the following year, 1423, the Senate withdrew the pecuniary provision with which the State had always defrayed the expenses of the Inquisition, they marked their sense of its inutility and their indifference to its power. This may possibly have led to the reunion of the districts of Venice and Treviso, for, in 1433 and 1434, we find single inquisitors appointed to both. In the latter year the lack of power of the incumbent, Frà Luca Cioni, is shown by the fact that when he desired to proceed against Ruggieri da Bertona, accused of heresy, he was forced to get Eugenius IV. to order the Bishop of Castello (Venice) to assist him. A further recognition of the inefficiency of the Inquisition is seen in the sending of Frà Giovanni da Capistrano to Venice in 1437, when the Jesuats were accused of heresy, and he acquitted them, and again, about 1450, when heretical notions spread there concerning the origin and nature of the soul, which he suppressed.*

Allusion has been made in a former chapter to the limitation imposed in 1450 by the Council of Ten on the number of armed familiars whom the inquisitor might retain, reducing them to four, and in 1451 increasing them to twelve, with instructions to the police to see that they were really engaged in the duties of the Holy Office. In so large and populous a district this suffi-

* Wadding. ann. 1373, No. 15–16; ann. 1376, No. 4–5; ann. 1433, No. 15; ann. 1434, No. 4, 6; ann. 1437, No. 24–8; ann. 1456, No. 108.—Archiv. di Venez. Misti, Cons. X. No. 9, pp. 84, 85.—Cecchetti, La Repubblica di Venezia, etc. I. 18.

ciently shows how purely nominal were the functions of the Inquisition, and how close was the supervision exercised by the State. Yet inquisitors continued to be appointed, but when they attempted to exercise any independent jurisdiction we have seen, in the case of the sorcerers of 1521, that even the most energetic interference of Leo X. could not induce the Signoria to waive its right of final decision.*

In Mantua, which formed part of the Patriarchate of Aquileia, we hear, in 1494, of an inquisitor who, for lack of heresies to suppress, assailed the *monts de piété*, or public pawning establishments, and all who favored them. These institutions were founded about this period as a charitable work for the purpose of rescuing the poor from the exactions of the usurers and the Jews. Frà Bernardino da Feltre, a celebrated Observantine Franciscan, made this a special object of his mission-work in the Italian cities, and on his coming to Mantua he completely silenced his adversaries. The decline of visible heresy at this period, in fact, is illustrated in the very diffuse account which Luke Wadding gives, year after year, of Bernardino's triumphant progress throughout Italy to call the people to repentance, when cities eagerly disputed with each other the blessing of his presence. In all this there is no allusion to any attacks by him on heresy; had there been any to assail, his burning zeal would not have suffered it to enjoy impunity.†

In Tuscany the growing insubordination felt towards the Inquisition was manifested at Siena, in 1340, by the enactment of laws checking some of its abuses. Frà Simone Filippo, the inquisitor, complained to Benedict XII., who at once pronounced them null and void, and ordered them erased from the statute-book. The relations between the Holy Office and the people at this period, however, are more significantly displayed in a series of events occurring at Florence, of which the details chance to have been

* Archiv. di Venez. Misti, Cons. X. Vol. XIII. p. 192; Vol. XIX. p. 29.—Wadding. ann. 1455, No. 97.—Mag. Bull. Rom. I. 617.—Albizio, Riposto al P. Paolo Sarpi, pp. 64–70.

† Wadding. ann. 1494, No. 6.—When Frà Bernardo endeavored to establish a *mont de piété* at Florence the moneyed interests were strong enough to drive him from the city (Burlamacchi, Vita di Savonarola, Baluz. et Mansi I. 557).

preserved. In Tuscany the triumph of orthodoxy had been complete. A sermon of Frà Giordano da Rivalto, in 1304, asserts that heresy was virtually exterminated: scarce any heretics remained, and they were in strict hiding. This is confirmed by Villani, who tells us that, by the middle of the century, there were no heretics in Florence. This is doubtless too absolute an assertion, but the existence of a few scattered Waldenses and Fraticelli offered scant excuse for such an establishment as the inquisitor was accustomed to maintain. In 1337 the papal nuncio, Bertrand, Archbishop of Embrun, took the incumbent of the office severely to task for the abuse of appointing an excessive number of assistants, and ordered him in future to restrict himself to four counsellors and assessors, two notaries, two jailers, and twelve ministers or familiars. This was by no means a small or inexpensive body of officials; the Inquisition's share of confiscations from the few poverty-stricken heretics who could occasionally be picked up evidently was insufficient to maintain such a corps, and means, either fair or foul, must be found to render the income of the office adequate to the wants of those who depended upon it for their fortunes. How this was done, on the one hand by cheating the papal camera, and on the other by extorting money on false charges of heresy and by selling to bravoes licenses to carry arms, has already been pointed out. The former device was one which, when detected, was difficult to condone, and its discovery caused, in the commencement of 1344, a sudden vacancy in the Florentine Inquisition. The republic was in the habit of suggesting names to the Franciscan General for appointment, and sometimes its requests were respected. In the present case it asked, February 26, that the Tuscan inquisitor, Frà Giovanni da Casale, be permitted to exercise his functions within the city, but the suggestion was unheeded, and in March the post was given to Frà Piero di Aquila.*

Frà Piero was a distinguished member of the Franciscan Order. But two months earlier he had been appointed chaplain to Queen Joanna of Naples, and his Commentaries on the Sentences of Peter Lombard were highly esteemed, receiving, in 1480, the

* Prediche di Frà Giordano da Rivalto, Firenze, 1831, I. 172.—Wadding. ann. 1340, No. 11.—Archivio di Firenze, Riformagioni, Diplomatico, 27; Classe v. No. 129, fol. 46, 54.

honor of an edition printed at Speier. A man so gifted was warmly welcomed, and the republic thanked the Franciscan General for the selection. I have already detailed how he fell into the same courses as his predecessor in cheating the papal camera, how he was prosecuted for this, and for what the republic officially denounced as "*estorsioni nefande*" committed on the people, and how, within two years after his appointment, he was a fugitive, not daring to stand trial. There is another phase of his activity, however, which is worth recounting in some detail, as it illustrates perfectly how useful an instrument was the Inquisition in carrying out the wishes of the Roman curia in matters wholly disconnected with the purity of the faith.*

The Cardinal of Santa Sabina, while visiting various courts in the capacity of papal legate, had had occasion to collect large sums. In charity to him we may assume, what doubtless was the truth, that the money belonged to the pope, although it stood in the cardinal's name on the books of his bankers, the great Florentine company of the Acciajuoli. In receiving it the members of the company had bound themselves jointly and severally for its repayment, agreeing to subject themselves to the judgment of the Court of Auditors of the Apostolic Chamber. In 1343 there was due the cardinal some twelve thousand florins, which the Acciajuoli were unable to pay. A commercial and financial crisis had paralyzed the commerce and industries of the city. Its bankers had advanced vast sums to Edward III. of England and to Robert the Good of Naples, and clamored in vain for repayment. The Lombard war had exhausted the public treasury and the whole community was bankrupt. Not only the Acciajuoli, but the Bardi, the Peruzzi, and other great banking-houses closed their doors, and ruin stared the Florentines in the face. There was at least one creditor, however, who was resolved to have his money.†

On October 9, 1343, Clement VI. wrote to the republic, stating the claim of the cardinal and ordering the Signoria to compel

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* Wadding. T. III. App. p. 3. — Ughelli, Italia Sacra, Ed. 1659, II. 1075. — Archiv. di Firenze, Riformag. Classe v. No. 129, fol. 55.

† Archiv. di Firenze, Riformag. Atti Pubblici, Lib. xvi. de' Capitolari, fol. 15.—Villani Chron. xi. 138; xii. 55, 58.

the Acciajuoli to pay it. Under the circumstances this was clearly impossible, but judgment against the debtors had been rendered by the auditors of the papal camera. This was enough to bring the affair within the sphere of spiritual jurisdiction, and authority was sent to the inquisitor to execute the sentence, calling in the aid of the secular arm, and, if necessary, laying an interdict on the city. The matter dragged on until, November 23, 1345, Frà Piero appeared before the Gonfaloniero and the Priors of the Arts, and summoned them to imprison the debtors until payment, under pain of excommunication and interdict; whereupon the magistrates responded that, out of reverence for the pope and respect for the inquisitor and to oblige the cardinal, they would lend the aid of the secular arm. Still the money was not forthcoming, and although such assets of the Acciajuoli as could be seized were delivered to Frà Piero, and security was given for the balance, he held the whole community responsible for the debt of a few of the citizens. The discussion became angry, and when the inquisitor, in violation of a law of the republic, committed the indiscretion of arresting Salvestro Baroncelli, a member of the bankrupt company, as he was leaving the palace of the Priors of the Arts, his three familiars who had committed the offence were, in compliance with a savage statute, punished with banishment and the loss of the right hand.

All this did not extract the money from the bankrupts, and Frà Piero laid the city under interdict, but both the clergy and people refused to observe it. The churches remained open and the rites of religion continued to be celebrated, leading to a fresh series of prosecutions against the bishop and priests. Inside the walls the Florentines might disregard the censures of the Church, but a commercial community could not afford to be cut off from intercourse with the world. Her citizens and their goods were scattered in every trade-centre in Christendom, and were virtually outlawed by the interdict. This was the reason alleged by the priors when, June 14, 1346, they humbled their pride and sent commissioners to Clement authorized to bind the republic to pay the debt of the Acciajuoli to the cardinal, not exceeding seven thousand florins, in eight months. Their submission was graciously received, and, February 28, 1347, the pope ordered the interdict removed, cautiously providing, however, for its *ipso facto*

renewal in case the obligation for six thousand six hundred florins was not met at maturity.*

Meanwhile another scene of the comedy was developing itself. In its contest with Frà Piero the republic had not stood solely on the defensive. Piero, papal nuncio at Lucca, who had in charge the prosecutions against the inquisitors for embezzling the sums due to the camera, had appointed as his deputy in Florence, Niccolò, Abbot of Santa Maria, who proceeded against Frà Piero on that charge, to which the Signoria added the accusation, sustained by abundant testimony, of extorting from citizens large sums of money by fraudulent prosecutions for heresy. By March 16, 1346, the Signoria was asking the appointment of Frà Michele di Lapo as his successor. Frà Piero was a fugitive, and refused to return and stand his trial when legally cited and tendered a safe-conduct. After due delay, in 1347, the Abate Niccolò, being armed with papal authority, declared him in default and contumacious, and then proceeded to excommunicate him. The excommunication was published in all the churches of Florence, and Frà Piero was thus cut off from the faithful and abandoned to Satan. He could afford to regard all this with calm philosophy. His success in collecting the cardinal's money entitled him to reward, and the booty of seven thousand florins which he had personally carried off from Florence as the results of his two years' inquisitorial career, could doubtless be used to advantage. While Niccolò was vainly citing him, he was promoted, February 12, 1347, to the episcopate of Sant-Angeli de' Lombardi, and his excommunication was answered, June 29, 1348, by his translation to the presumably preferable see of Trivento. All that the Florentines could do was to petition repeatedly that in future inquisitors should be selected from among their own citizens, who would be less likely than strangers to be guilty of extortions and scandals. Their request was respected at

* Archiv. delle Riformag. Atti Pubblici, Lib. XVI. de' Capitolari, fol. 22; Classe V. No. 129, fol. 62 sqq.—Archiv. Diplomatico XXXVII., XXXVIII., XL., XLI., XLII.—Villani, XII. 58.

The amount involved was not small. The revenue of Florence at this period was only three hundred thousand florins (Sismondi, Rep. Ital. ch. 36), and Florence was one of the richest states in Europe. Villani (XI. 92) boasts that France alone enjoyed a larger revenue; that of Naples was less, and the three were the wealthiest in Christendom.

least in 1354, when a Florentine, Frà Bernardo de' Guastoni, was appointed Inquisitor of Tuscany.*

This was not likely to be effective, and the Signoria made a more promising effort at self-protection by passing various laws imitated from those adopted not long before at Perugia. To limit the abuse of selling licenses to bear arms, the inquisitor, as we have seen, was restricted to employing six armed familiars. Moreover, it was decreed that no citizen could be arrested without the participation of the podestà, who was required to seize all persons designated to him by the bishop—the inquisitor not being alluded to—which would seem to leave small opportunity for independent action by the latter, especially as he was deprived of his private jail and was ordered to send all prisoners to the public prison. He was further prohibited from inflicting pecuniary punishments, and all whom he condemned as heretics were to be burned. This was revolutionary in a high degree, and did not tend to harmonize the relations between the republic and the papacy. The desperate quarrel between them which arose in 1375 was caused by political questions, but it was embittered by troubles arising from the Inquisition, especially as a demand made by Innocent VI., in 1355, for a revision of their statutes remained unheeded. In 1372 efforts were made to obtain the removal of Frà Tolomeo da Siena, the Inquisitor of Tuscany, who was exceedingly unpopular, but Gregory XI. expressed the fullest confidence in him and ordered him to be protected by the Vicar-general, Filippo, Bishop of Sabina. Yet the pope probably yielded, for I find in 1373 that Frà Piero di Ser Lippo, who had already served as Tuscan inquisitor in 1371, was again appointed to replace a certain Frà Andrea di Ricco. With some intervals Frà Piero served until at least 1384, and he proved no more disposed than his predecessors to yield to the resistance which the methods of the Inquisition inevitably provoked in the free Italian cities. Pistoia had followed the example of Florence in endeavoring to protect its citizens by municipal statutes, and in 1375 it was duly placed under interdict and its citizens were excommunicated. At the same time

* Archiv. delle Riformag. Classe IX., Distinzione I. No. 39; Classe V. No. 129, fol. 62 sqq.; Prov. del Convento di S. Croce, 23 Ott. 1354.—Villani, XII. 58. —Ughelli VII. 1015.

Frà Piero complained of Florence as impeding the free action of the Inquisition, and Gregory at once ordered the Signoria to abrogate the obnoxious statutes. No attention was paid to these commands by Florence, and when the rupture came the Florentine mob expressed its feelings by destroying the inquisitorial prison and driving the inquisitor from the city. It was also alleged that in the disturbances a monk named Niccolò was tortured and buried alive. These misdeeds, although denied by the Signoria, were alleged as a justification of the terrible bull of March 31, 1376, fulminated against Florence by Gregory. In this he not only excommunicated and interdicted the city, but specially outlawed the citizens, exposing their property wherever found to seizure, and their persons to slavery. This shocking abuse was the direct outgrowth of the long series of legislation against heresy, and was sanctioned by the public law of the period; everywhere throughout Christendom the goods of Florentines were seized and the merchants were glad to beg their way home, stripped of all they possessed. Not all were so fortunate, as some pious monarchs, like Edward III., in addition reduced them to servitude. No commercial community could long endure a contest waged after this fashion, and, as before, Florence was compelled to submit. In the peace signed July 28, 1378, the republic agreed to annul all laws restricting the Inquisition and interfering with the liberties of the Church, and it authorized a papal commissioner to expunge them from the statute-book. The Great Schism, however, weakened for a time the aggressive energy of the papacy, and much of the obnoxious legislation reappears in the revised code of 1415.*

The career of Tommasino da Foligno, who died in 1377, has

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* Archiv. delle Riformag. Classe II. Distinz. I. No. 14.—Archiv. Diplom. LXXVIII.-IX., LXXX.-I.; Prov. del Convento di S. Croce, 1371 Febb. 18, Ott. 8, 14; 1372, Marz. 15; 1375, Marz. 9; 1380, Genn. 12; 1380, Dic. 1; 1381, Nov. 18; 1383, Lugl. 12; 1384, Dic. 13.—Werunsky Excerptt. ex Registt. Clement. VI. et Innoc. VI. p. 95.—Villani, XII. 58.—Wadding. ann. 1372, No. 35; ann. 1375, No. 32.—Raynald. ann. 1375, No. 13-17; ann. 1376, No. 1-5.—Poggii Hist. Florentin. Lib. II. ann. 1376.—A document of 1374 (Archiv. Fior. Prov. S. Croce, 1374, Nov. 17) shows that Frà Piero di Ser Lippo, at that time Inquisitor of Florence, was defendant in an action brought against him in the papal curia by the Dominican Frà Simone del Pozzo, Inquisitor of Naples, in which Frà Piero seems to have obtained what was equivalent to a nonsnit.

interest for us, not only as illustrating the activity of the Inquisition of the period, but also from the curious parallelism which it affords with that of Savonarola. He was one of the prophets, like St. Birgitta of Sweden, St. Catharine of Siena, and the Friends of God in the Rhinelands, who were called forth by the untold miseries then afflicting mankind. A tertiary of St. Francis, he had practised for three years the greatest austerities as an anchorite, when God summoned him forth to preach repentance to the warring factions whose savage quarrels filled every city in the land with wretchedness. Like the other contemporary prophets, he spared neither clerk nor layman; and his bitter animadversions at Perugia on the evil life of Gerald, Abbot of Marmoutiers, papal vicar for the States of the Church, may perhaps account for his subsequent rough handling by the Inquisition. Gifted with miraculous power, as well as with the spirit of prophecy, he wandered from town to town, proclaiming the wrath of God, and foretelling misfortunes which, in the existing state of society, were almost sure to come to pass. To convince the incredulous at Siena, on a midsummer day he predicted a frost for the morrow. When it duly came he was accused of sorcery, seized by the Inquisition, and tortured nearly to death, but he was discharged when a miracle established his innocence and healed the wounds of the torture-chamber. After an intermediate pilgrimage to far-off Compostella, his preaching at Florence excited so much antagonism that again he was arrested by the Inquisition, cast into a dungeon, and kept three days without food or drink, to be finally discharged as insane. After his death at Foligno, unsuccessful attempts were made to procure his canonization, and he long remained an object of local veneration and worship.*

During the fifteenth century the Inquisition in central Italy subsided into the same unimportance that we have witnessed elsewhere. The effect of the Great Schism in reducing the respect felt for the papacy was especially felt in Italy, and the papal officials lost nearly all power of enforcing obedience, although the Inquisition at Pisa, when it was strengthened by the presence of the council held there in 1409, took its revenge on a man named Andreani, whom it burned for the crime of habitually and public-

* Wadding. ann. 1377, No. 4–23.

ly ridiculing it. When the schism was healed at Constance, one of the earliest efforts of Martin V. was directed against the Fraticelli, whose increase in the Roman province he especially deprecated. In his bull on the subject, November 14, 1418, he complained that when inquisitors endeavored to exercise their office against the heretics the latter would claim the jurisdiction of some temporal lord and then threaten and insult their persecutors, so that the latter were afraid to perform their functions. Martin's only remedy was practically to supersede the inquisitors by special appointments, and this naturally sank the institution to a deeper degradation. Thus in 1424, when there were three Fraticelli to be tried in Florence, Martin placed the matter in the hands of Frà Leonardo, a Dominican professor of theology. Still the office of inquisitor continued to be sought and appointments to be made with more or less regularity, from motives which can easily be conjectured; but of activity against heresy there is scarce a trace. How unimportant its functions had become in Bologna may be gathered from the fact that in 1461 the inquisitor, Gabriele of Barcelona, was sent to Rome by his superiors to teach theology in the convent of Minerva, when Pius II. authorized him to appoint a vicar to discharge his duties during his absence. Ten years afterwards the Bolognese inquisitor, Frà Simone da Novara, was fortunate enough to lay hands on a man named Guizardo da Sassuolo, who was suspected of heresy. So completely were such proceedings forgotten that he felt obliged to apply for instructions to Paul II., who congratulated him on the capture, ordered him to proceed according to the canons, and desired the episcopal vicar to co-operate. Heretics evidently had grown scarce, and the inquisitorial functions had fallen into desuetude.*

In Rome, when there really was a heresiarch to condemn, there

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* Tamburini, Storia Gen. dell' Inquisizione, II. 433-6.—Raynald. ann. 1418, No. 11.—Archiv. di Firenze, Prov. S. Maria Novella, 1424, Ap. 24.—Wadding. ann. 1437, No. 33; ann. 1438, No. 26; ann. 1439, No. 57; ann. 1440, No. 26; ann. 1441, No. 61; ann. 1452, No. 30; ann. 1471, No. 11; ann. 1496, No. 7.—Ripoll VII. 89, 100.

Frà Gabriele, the Inquisitor of Bologna, in the same year, 1461, in which he was sent to Rome, expended twenty-three lire ten sol. in having a copy made of Eymerich's *Directorium Inquisitionis*.—Denifle, Archiv für Litteratur- etc. 1885, p. 144.

was no Inquisition at hand to perform the duty. In the proceedings against Luther there is no trace of its intervention. The bull *Exsurge Domine*, June 15, 1520, contains no allusion to his doctrines having been examined by it; when they were publicly condemned, June 12, 1521, the ceremony was performed by the Bishop of Ascoli, Auditor of the Rota, and Silvestro Prierias, Master of the Sacred Palace, while the sentence which consigned his effigy and his books to the flames was pronounced by Frà Cipriano, professor in the College of Sacred Theology. It was perhaps the most momentous *auto de fé* that has ever been celebrated, but the Inquisition can boast of no participation in it.*

In the Two Sicilies the Inquisition dragged on a moribund existence. Letters of King Robert in 1334 and 1335 and of Joanna I. in 1342 and 1343 show that inquisitors continued to be appointed and to receive the royal exequatur, but they were limited to making fifty arrests each, and record of these was required to be entered in the royal courts; they had no jails, and the royal officials received their prisoners and tortured them when called upon. The Jews appear to be the main object of inquisitorial activity, and this can only have been halting, for in 1344 Clement VI. orders his legate at Naples, Aymerico, Cardinal of S. Martino, to punish condignly all apostate Jews, as though there were no Inquisition at work there. Yet in 1362 there were three inquisitors in Naples, Francesco da Messina, Angelo Cicerello da Monopoli, and Ludovico da Napoli, who took part in the trial of the rebellious Luigi di Durazzo. Still, when efforts were to be made against the Fraticelli, Urban V., in 1368, deemed it necessary to send a special inquisitor, Frà Simone del Pozzo, to Naples. Although his jurisdiction extended over the island of Sicily, Gregory XI., in 1372, when informed that the relics of the Fraticelli were venerated there as those of saints, ordered the prelates to put a stop to it, as though he had no inquisitor to call upon. Yet Frà Simone was there in that year, and had a theological disputation with Frà Niccolò di Girgenti, a learned Franciscan who had been provincial of his Order. The question turned upon some scholastic subtleties respecting the three persons of the Trinity, and as each dis-

* Paramo de Orig. Office S. Inq. p. 113.

putant claimed the victory, Simone proceeded to settle the matter by secretly prosecuting his antagonist for heresy. Niccolò got wind of this and at once appealed to Rome, before the Archbishop of Palermo, demanding his *apostoli*—an appeal which Simone pronounced frivolous. The revelations made by Niccolò as to his antagonists present a most dismal picture of the internal condition of the Church at the time, although Frà Simone's learning and ascetic life won him the popular reputation of a saint, and he obtained the bishopric of Catania, becoming an important political personage. In 1373 Frederic III. issued letters to all the royal officials ordering them to lend all aid to him and to his familiars, and the Inquisition seems to have been firmly established, with prisons of its own. In 1375 we find Gregory applying to the king for the confiscations, and procuring from the revenues of Palermo an appropriation of twelve ounces of gold, to be applied to the extermination of heresy. In this recrudescence of persecution the Jews appear to have been the principal victims. They appealed to Frederic, who in the same year, 1375, issued letters severely blaming the inquisitors and ordering that in future their prisoners should be confined only in the royal jails; that civil judges should assist in their decisions, and that an appeal should lie to the High Court. This was imposing serious limitations on inquisitorial jurisdiction, but no reclamation against it appears to have been made. In Naples, letters of Charles III., issued in 1382 to Frà Domenico di Astragola and Frà Leonardo di Napoli, show that inquisitors continued to be appointed. In 1389 Boniface IX. seems to unite Naples with Sicily by appointing Frà Antonio Traverso di Aversa as inquisitor on both sides of the Faro; but in 1391 another brief of the same pope alludes to the Inquisition of Sicily having become vacant by the death of Frà Francesco da Messina, and as there is customarily but one inquisitor there he fills the vacancy by the appointment of Frà Simone da Amatore. Frà Simone had a somewhat stormy career. Already, in 1392, he was replaced by Frà Giuliano di Mileto, afterwards Bishop of Cefalù, but seems to have regained his position, for in 1393 he was obliged by King Martin to refund moneys extorted from some Jews whom he had prosecuted for holding illicit relations with Christian women, and was told not to interfere with matters beyond his jurisdiction. Engaging in treasonable

intrigues, he was driven from the island, and in 1397 we find him acting as papal legate and provincial in Germany. In 1400 he obtained his pardon from King Martin, and was allowed to reside in Syracuse, but was strictly forbidden from exercising the office of inquisitor. Meanwhile, in 1395, we hear of Guglielmo di Girgenti as inquisitor, and in 1397, of Matteo di Catania, a sentence by whom in that year, fining a Jew and his wife in forty ounces, was confirmed by the king, showing that the Inquisition continued to be subordinated to the civil power. Frà Matteo was inquisitor on both sides of the Faro, for a royal letter of 1399 describes him as such, and orders obedience rendered to his vicar, while another of 1403 shows that he still retained the position. A royal decree of 1402 specially provides for Jews an appeal to the king from all inquisitorial sentences, thus continuing what had long been the practice. In 1415 royal letters confirming the appointment of Frà Antonio de Pontecorona, others of 1427 in favor of Frà Benedetto da Perino, and of 1446, in favor of Frà Andrea de la Pascena, show that the organization was maintained, but all sentences were required to be transmitted to the viceroy, who submitted them to a royal judge before they were valid. Thus, in 1451, King Alfonso confirmed a fine of ten thousand florins, levied upon the Jews as a punishment for their usuries and other offences.*

On the mainland we have seen proof of the decay of the Inquisition in the undisturbed growth of the Waldensian communities, and the complete breaking-down of its machinery is fairly illustrated in 1427, when Joanna II. undertook to enforce certain measures against the Jews of her kingdom. Had there been an effective and organized Inquisition she would have required no better instrument for her purpose; and it could only have been the absence of this that led her to call in the indefatigable persecutor, Frà Giovanni da Capistrano, to whom she issued a commission to coerce the Jews to abandon usury and to wear the sign Tau, as provided by law. He was empowered to decree such pun-

* MSS. Chioccarello, T. VIII.—Raynald. ann. 1344, No. 9; ann. 1368, No. 16; ann. 1372, No. 36; ann. 1375, No. 26.—Tocco, Archivio Storico Napolitan. Ann. XII. (1887), Fasc. 1.—Ripoll II. 311, 324, 364.—Giuseppi Cosentino, Archivio Storico Siciliano, 1885, pp. 74–5, 87.—La Mantia, Dell' Inquisizione in Sicilia, Torino, 1886, pp. 13–15.

ishments as he might deem fit, which were to be mercilessly inflicted by all judges and other officials, and he was moreover to constrain, under pain of confiscation, the Jews to surrender to him for cancellation all letters and privileges granted to them by former monarchs. Yet there was still a simulacrum of the Inquisition maintained, for in the following year, 1428, we find Martin V. confirming the appointment of Frà Niccolò di Camisio as Inquisitor of Benevento, Bari, and the Capitanata.*

Whatever vitality the Inquisition retained was still more reduced when, in 1442, the House of Aragon obtained the throne of Naples. Giannone tells us that the Aragonese princes rarely admitted inquisitors, and, when they did so, required minute reports as to their every official act, never permitting any conviction without the participation of the secular magistrates, followed by royal confirmation, as we have seen to have been the case in Sicily. When, in 1449, Nicholas V. appointed Frà Matteo da Reggio as inquisitor to exterminate the apostate Jews who were said to be numerous throughout the kingdom, the terms employed would seem to indicate that for some time the Inquisition had been practically extinct, although but two years before he had given a commission to Frà Giovanni da Napoli, and although subsequent inquisitors were occasionally appointed.†

In Sicily, however, in 1451, the Inquisition obtained fresh vitality by means of an ingenious device. Frà Enrico Lugardi, Inquisitor of Palermo, produced a most impudent forgery in the shape of a long and elaborate privilege purporting to have been issued by the Emperor Frederic II. in 1224, ordering all his Sicilian subjects to give aid and comfort to the "inquisitors of heretical pravity," and stating that, as it was unfitting that all confiscations should inure to the royal fisc without rewarding the inquisitors for their toils and perils, the confiscations henceforth should be divided equally between the fisc, the Inquisition, and the Holy See; moreover, all Jews and infidels were required once a year

* Wadding. T. III. Regesta, p. 392.—Ripoll II. 689.

When, in 1447, Nicholas V. issued a cruel edict subjecting the Jews to severe disabilities and humiliations, Capistrano was likewise appointed conservator to enforce its provisions (Wadding. ann. 1447, No. 10).

† Giannone, Ist. Civ. di Napoli, Lib. xxxii. c. 5.—Wadding. ann. 1449, No. 13. —Ripoll III. 240, 441, 501.

to supply inquisitors and their attendants, when in prosecution of their duty, with all necessaries for man and beast. Though the fraudulent character of this document was conspicuous on its face, to say nothing of a blunder in the regnal year of its date, the age was not a critical one; Frà Enrico seems to have had no trouble in inducing King Alonso to confirm it, and it was subsequently confirmed again in 1477 by Ferdinand and Isabella. The privileges which it conferred were substantial, and gave fresh importance to the Inquisition, although its judgments were still subjected to revision by the civil power. When, in 1474, famine led Sixtus IV. to request of the Viceroy Ximenes the shipment of a large supply of corn from Sicily to Rome, he wrote to the inquisitor, Frà Salvo di Cassetta, ordering him to strain every nerve to secure the granting of the favor. The inquisitor at that time was evidently a personage of influence, for Frà Salvo in fact was also confessor of the viceroy. The central tribunal of the Inquisition sat in Palermo, and there were three commissioners or deputies in charge of the three "valleys" of the island.*

Ferdinand the Catholic, in founding the New Spanish Inquisition, obtained for his grand inquisitor the power of nominating deputies in all the dependencies of Castile and Aragon. About 1487 Fray Antonio de la Peña was sent to Sicily in that capacity, who speedily organized the Holy Office on its new basis throughout the island; and in 1492 an edict of banishment was issued against the Jews, who, as of old, were the chief objects of persecution. On the mainland there was more trouble. When, in 1503, Ferdinand acquired the kingdom of Naples, the Great Captain, Gonsalvo of Cordova, finding the people excited with the fear that the Spanish Inquisition might be introduced, made a solemn compact that no inquisitors should be sent thither. The old rules were kept in force; no one was allowed to be arrested without a special royal warrant, and no inquisitor could exercise any functions without the confirmation of his commission by the royal

* Paramo, pp. 197–99.—Ripoll III. 510.—La Mantia, L'Inquisizione in Sicilia, pp. 16–18.

Giuseppe Cosentino says (Archivio Storico Siciliano, 1885, p. 73) that the confirmation in 1451 by King Alonso of the diploma of Frederic II. is not to be found in the archives of Palermo, but that the royal letters of 1415 allude to a privilege granted by Frederic. See also La Mantia, pp. 8–10, 13, 15.

representative. Notwithstanding this, in 1504, Diego Deza, the Spanish inquisitor-general, sent to Naples an inquisitor and a receiver of confiscated property, with royal letters ordering them to have free exercise of their authority, but Gonsalvo, who knew by how slender a tenure the new dynasty held the allegiance of the people, seems not to have admitted them. Under the excuse that the Jews and New Christians expelled from Spain found refuge in Naples, the attempt was again made in 1510, and Andres Palacio was sent there as inquisitor, but the populace rose in arms and made demonstrations so threatening that even Ferdinand's fanaticism was forced to give way. The movements of the French in the north of Italy were disquieting, the loyalty of the Neapolitans was not to be relied upon, and the inquisitor was withdrawn with a promise that no further effort would be made to force upon the people the dreaded tribunal. Even Julius II. recognized the necessity of this and assented to the understanding. The Calabrian and Apulian Waldenses thus had a respite until the progress of the Reformation in Italy aroused the Church to renewed efforts and to a complete reorganization of its machinery of persecution.*

* Pirro, Sicilia Sacra, I. 185–6.—G. Cosentino, loc. cit. p. 76.—Caruso, Memorie Istoriche di Sicilia, P. II. T. i. p. 92.—Giannone, op. cit. Lib. xxxii. c. 5.—Paramo, pp. 191–4.—Zurita, Hist. del Rey Hernando, Lib. v. c. 70; Lib. ix. c. 26.—Mariana, Hist. de España, Lib. xxx. c. 1.

CHAPTER V.

THE SLAVIC CATHARI.

When Innocent III. found himself confronted with the alarming progress of the Catharan heresy, his vigilant activity did not confine itself to Italy and Languedoc. The home of the belief lay to the east of the Adriatic among the Slavic races. Thence came the missionaries who never ceased to stimulate the zeal of their converts, and every motive of piety and of policy led him to combat the error at its source. Thus the field of battle stretched from the Balkans to the Pyrenees along a front of over a thousand miles, and the result might have been doubtful but for the concentration of moral and material forces resulting from the centralized theocracy founded by Hildebrand.

The contest in the regions south of Hungary is instructive as an illustration of the unconquerable persistence of Rome in conducting for centuries an apparently resultless struggle, undeterred by defeat, taking advantage of every opening for a renewal of the strife, and using for its ends the ambition of monarchs and the self-sacrificing devotion of zealots. A condensed review of the rapid vicissitudes of such a contest is therefore not out of place, although the scene of action lay too far from the centres of European life to have decisive influence upon the development of European thought and belief, except as it served as a refuge for the persecuted and a centre of orthodoxy to which neophytes could be sent.

The vast regions east of the Adriatic scarce paid more than a nominal spiritual allegiance to Rome. A savage and turbulent population, conquered by Hungary towards the end of the eleventh century, and always endeavoring to throw off the yoke, was Christian in little more than name. Such Christianity as it boasted, moreover, was not Latin. The national ritual was Slavic, in spite of its prohibition by Gregory VII., and the Roman observance was detested, from its foreign origin, as the badge of subjugation.

The few Latin prelates and priests and monks were encamped amid a hostile population to whom they were strangers in language and manners, and the dissoluteness of their lives gave them no opportunity of acquiring a moral influence that might disarm national and race antipathies. Under such circumstances there was nothing to hinder the spread of Catharism, and when the devastating wars of the Hungarians came to be dignified as crusades for the extermination of heresy, heresy might well claim to be identified with patriotism. From the Danube to Macedonia, and from the Adriatic to the Euxine, the Catharan Church was well organized, divided into dioceses with their bishops, and actively engaged in mission work. Its most flourishing province was Bosnia, where, at the end of the twelfth century, it counted some ten thousand devoted partisans. Culin, the Ban who held it under the suzerainty of Hungary, was a Catharan, and so were his wife and the rest of his family. Even Catholic prelates were suspected, not without cause, of leaning secretly to the heretic belief.*

The earliest interference with heresy occurs at the end of the twelfth century, when the Archbishop of Spalatro, doubtless under impulsion from Innocent, drove out a number of Cathari from Trieste and Spalatro. They found ready refuge in Bosnia, where Culin welcomed them. Vulcan, King of Dalmatia, who had designs upon Bosnia, in 1199 represented to Innocent the deplorable prevalence of heresy there, and suggested that Emeric, King of Hungary, should be urged to expel the heretics. Innocent thereupon wrote to Emeric, sending him the severe papal decretal against the Patarins of Viterbo as a guide for his action, and ordering him to cleanse his territories of heresy and to confiscate all heretical property. Culin seems to have taken the initiative by attacking Hungary, but at the same time he tried to make his peace with Rome by asserting that the alleged heretics were good Catholics. He sent some of them, with two of his prelates, to Innocent for examination, and asked for legates to investigate the matter on the spot. In 1202 the pope accordingly ordered his chaplain, Giovanni da Casemario, and the Archbishop of Spalatro, to

* Schmidt, Histoire des Cathares, I.104–9 —Gregor. PP. VII. Regist. VII. 11.—Batthyani Legg. Eccles. Hung. II. 274, 289–90, 415–17.—Raynald. ann. 1203, No. 22.—Innocent. PP. III. Regest. II. 176.

proceed to Bosnia, where, if they found any heretics, including the Ban himself, they were to be prosecuted according to the rigor of the canons. Giovanni successfully accomplished this mission in 1203. He reported to Innocent a pledge given by the Cathari to adopt the Latin faith, while, to insure the maintenance of religion, he recommended the erection of three or four additional bishoprics in the territory of the Ban, which were ten days' journey in extent and which yet had but one see, of which the incumbent was dead. At the same time King Emeric wrote that Giovanni had brought to him the leaders of the heretics, and he had found them converted to orthodoxy. Culin's son had likewise presented himself, and had entered into bonds of one thousand marks, to be forfeited in case he should hereafter protect heretics within his dominions. The triumph of the Church seemed assured, especially when, in the same year, Calo Johannes, the Emperor of the Bulgarians, applied to Innocent to have cardinals sent to crown him, and professed himself in all things obedient to the Holy See.*

All such hopes proved fallacious. With the development of the Albigensian troubles the attention of Innocent was directed from the Slavs. The conversions made under pressure were but temporary. The metropolitan of the province, Arringer, Archbishop of Ragusa, filled the vacant see of Bosnia with a Catharan, and, dying himself soon after, his episcopal city became a nest of heretics. The few Catholic priests scattered through the region abandoned their posts, and Catholicism grew virtually almost extinct. In 1221 it is said that in the whole of Bosnia there was not a single orthodox preacher to be heard. Equally disheartening was the course of affairs among the Bulgarians. After Calo Johannes had been crowned by a legate from Rome, his quarrels with the Latin Emperors of Constantinople led to a breach, and in the wide territories under his dominion the Cathari had full liberty of conscience.†

At length the papal attention was again directed to this deplorable state of affairs. In 1221 Honorius III. sent his chaplain, Master Aconcio, as legate to Hungary, with orders to arouse the king and the prelates to a sense of their obligation to exterminate

* Innoc. PP. III. Regest. II. 176; III. 3; V. 103, 110; VI. 140, 141, 142, 212.

† Schmidt, I. 112–13.

the heretics who were thus openly defiant. On his way the legate paused at Ragusa to superintend the election of an orthodox archbishop, after which he ordered all Dalmatia and Croatia to join in a crusade, but no one followed him, and he went alone to Bosnia, where he died the same year. Better results were promised by the ambition of Ugolin, Archbishop of Kalocsa, who desired to extend his province; he proposed to Andreas II. of Hungary that he would lead a crusade at his own cost, and king and pope promised him all the territories which he should clear of heretics, but Ugolin overrated his powers, and adopted the expedient of subsidizing with two hundred silver marks the ruler of Syrmia, Prince John, son of Margaret, widow of the Emperor Isaac Angelus. John took the money without performing his promise, though reminded of it by Honorius in 1227. Relieved from apprehension, the Bosnians deposed their Ban Stephen and replaced him with a Catharan, Ninoslav, one of the most notable personages in Bosnian history, who maintained himself from 1232 to 1250.*

The scale at length seemed to turn with the advent on the scene of the Mendicant Orders, full of the irrepressible enthusiasm, the disregard of toil and hardship, and the thirst for martyrdom of which we have already seen so many examples. Behind them now, moreover, was Gregory XI., the implacable and indefatigable persecutor of heresy, who urged them forward unceasingly. The Dominicans were first upon the ground. As early as 1221 the Order formed establishments in Hungary, developing its proselyting energy from that centre, and thus taking the heretics in flank. The Dominican legend relates that the Inquisition was founded in Hungary by Friar Jackzo (St. Hyacinth), an early member of the Order, who died in 1257, and that it could soon boast of two martyred inquisitors, Friar Nicholas, who was flayed alive, and Friar John, who was lapidated by the heretics. In 1233 we hear of the massacre of ninety Dominican missionaries among the Cumans, and it was perhaps somewhat earlier than this that thirty-two were drowned by the Bosnian heretics, whom they were seeking to convert; but Dominican ardor was only inflamed by such inci-

* Potthast No. 6612, 6725, 6802. — Raynald. ann. 1225, No. 21. — Klaić, Geschichte Bosniens, nach dem Kroatischen von Ivan v. Bojnicić, Leipzig, 1885, pp. 89–91.

dents. Preparations were made for systematic work. In 1232 Gregory ordered his legate in Hungary, Giacopo, Bishop of Palestrina, to convert the Bosnians. King Andreas gave the Banate to his son Coloman, Duke of Croatia and Dalmatia, and ordered him to assist. Results soon followed. The Catholic Bishop of Bosnia was himself infected with heresy, and excused himself on the ground that he had ignorantly supposed the Cathari to be orthodox. The Archbishop of Ragusa was cognizant of this, and had paid no attention to it, so Giacopo transferred Bosnia to Kalocsa—a transfer, however, which was for the present inoperative. More important was the conversion of Ninoslav, who abandoned the religion of his fathers in order to avert the attacks of Coloman, which were rapidly dismembering his territories. He was effusively welcomed by Gregory; he gave money to the Dominicans for the building of a cathedral; many of his magnates followed his example, and his kinsman, Uban Prijesda, handed his son to the Dominicans as a hostage for the sincerity of his conversion. Gregory was overjoyed at this apparent success. In 1233 he ordered the boy restored to his father; he took Bosnia under the special protection of the Holy See, and ordered Coloman to defend Ninoslav from the attacks of disaffected heretics; he deposed the heretic bishop, and instructed his legate to divide the territory into two or three sees, appointing proper incumbents. The latter measure was not carried out, however, and a German Dominican, John of Wildeshausen, was consecrated Bishop of all Bosnia.*

The Legate Giacopo returned to Hungary satisfied that the land was converted, but success proved fleeting. Either Ninoslav's conversion was feigned or he was unable to control his heretic subjects, for in the next year, 1234, we find Gregory complaining that heresy was increasing and rendering Bosnia a desert of the faith, a nest of dragons and a home of ostriches. In conjunction with Andreas he ordered a crusade, and Coloman was instructed to attack the heretics. The Carthusian Prior of St. Bartholomew was sent thither to preach it with Holy Land indulgences, and by the end of 1234 Coloman laid Bosnia waste with fire and sword.

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* Monteiro, Historia da Sacra Inquisição P. I. Liv. 1, c. 59.—Paramo, p. 111.—Raynald. ann. 1257, No. 13.—Hist. Ord. Prædic. c. 8. (Martene Ampl. Coll. VI. 338).—Ripoll I. 70.—Klaić, pp. 92–4.

Ninoslav threw himself heart and soul with the Cathari, and the struggle was bloody and prolonged. The Legate Giacopo induced Bela IV. to take an oath to extirpate all heretics from every land under his jurisdiction, and the Franciscans hastened to take a hand in the good work. They commenced with the city of Zara, but the Archbishop of Zara, instead of seconding their labors, impeded them, which earned for him the emphatic rebuke of Gregory. Indeed, from the account which Yvo of Narbonne gives about this time of the Cathari of the maritime districts, they could not have been much disturbed by these proceedings.*

In 1235 the crusaders were unlucky. Bishop John lost all hope of recovering his see and asked Gregory to relieve him of it, as the labors of war were too severe for him; but Gregory reproved his faintheartedness, telling him that if he disliked war the love of God should urge him on.† In 1236 the aspect of affairs improved, probably because Bela IV. had replaced Andreas on the throne of Hungary, and because the crusaders were energetically aided by Sebislav, Duke of Usora, the son of the former Ban Stephen, who hoped to recover the succession. He was rewarded by Gregory calling him a lily among thorns and the sole representative of orthodoxy among the Bosnian chiefs, who were all heretics. At last, in 1237, Coloman triumphed, but heresy was not eradicated, in spite of his efforts through the following years. In fulfilment of his request, Gregory ordered the consecration of the Dominican Ponsa as Bishop of Bosnia, and soon afterwards appointed Ponsa as legate for three years in order that he might exterminate the remnant of heresy. It must have been a tolerably large remnant, for in the same breath he promised the protection of the Holy See to all who would take the cross to extirpate it. In 1239 the Provincial Prior of Hungary was ordered to send to the heretic districts a number of friars, powerful in speech and ac-

* Epist. Sæc. XIII. T. I. No. 574, 601. — Ripoll I. 70. — Potthast No. 9726, 9733–8, 10019, 10052.—Klaić, p. 96.—Batthyani Legg. Eccles. Hung. I. 355.—Matt. Paris ann. 1243 (Ed. 1644, pp. 412–13).

† Bishop John succeeded in resigning his bishopric, and became Grand Master of his Order. A contemporary, who knew him personally, describes him as a man of apostolic virtue, who distributed in alms the revenue of his see, amounting to 8000 marks, and performed his journeys on foot, with an ass to carry his books and vestments. After his death at Strassburg he shone in miracles.—Thomæ Cantimprat. Bonum universale Lib. II. c. 56.

tion, to consummate the work. Ponsa, though bishop and legate, had no revenues and no resources, so Gregory ordered paid over to him the moneys collected from crusaders in redemption of vows, and the sum which Ninoslav, during his interval of orthodoxy, had given to found a cathedral. By the end of 1239 heresy seemed to be exterminated, but scarce had Coloman and his crusaders left the land when his work was undone and heresy was as vigorous as ever. In 1240 Ninoslav appears again as Ban, visiting Ragusa with a splendid retinue to renew the old treaty of trade and alliance. King Bela's energies, in fact, were just then turned in another direction, for Assan, the Bulgarian prince, had declared in favor of the Greeks; his people therefore were denounced as heretics and schismatics, and Bela was stimulated to undertake a crusade against him, for which, as usual, Holy Land indulgences were promised. It was hard to make head at once against so many enemies of the faith, and in the confusion the Cathari of Bosnia had a respite. Still more important for them as a preventive of persecution was the Tartar invasion which, in 1241, reduced Hungary to a desert. In the bloody day of Flusse Sajo the Hungarian army was destroyed, Bela barely escaped with his life, and Coloman was slain. The respite was but temporary, however, for in 1244 Bela again overran Bosnia. Ninoslav made his peace and the heretics were persecuted, until 1246, when Hungary was involved in war with Austria, and promptly they rose again with Ninoslav at their head.*

All these endeavors to diffuse the blessings of Christianity had not been made without bloodshed. We have few details of these obscure struggles in a land little removed from barbarism, but there is one document extant which shows that the Albigensian crusades, with all their horrors, had been repeated to no purpose. In 1247 Innocent IV., in making over the see of Bosnia to the Archbishop of Kalocsa, alludes to the labors performed by him and his predecessors in the effort to redeem it from heresy. They had meritoriously devastated the greater part of the land; they had carried away into captivity many thousands of heretics, with great effusion of blood, and no little slaughter of their own men

* Potthast No. 10223–6, 10507, 10535, 10631–9, 10688–93, 10822–4, 10842.—Ripoll I. 102–4, 106–7.—Schmidt, I. 122.—Klaić, pp. 97–107.

and waste of their substance. In spite of these sacrifices, as the churches and castles which they had built were not strong enough to resist siege, the land could not be retained in the faith; it had wholly relapsed into heresy, and there was no hope of its voluntary redemption. The church of Kalocsa had been thoroughly exhausted, and it was now rewarded by placing the recalcitrant region under its jurisdiction, in the expectation that some future crusade might be more fortunate. Innocent IV. had, a few months earlier, ordered Bela to undertake a decisive struggle with the Cathari, but Ninoslav appealed to him, protesting that he had been since his conversion a faithful son of the Church, and had only accepted the aid of the heretics because it was necessary to preserve the independence of the Banate. Moved by this, Innocent instructed the Archbishop of Kalocsa to abstain from further persecution. He ordered an investigation into the faith and actions of Ninoslav, and gave permission to use the Glagolitic writing and the Slavic tongue in the celebration of Catholic service, recognizing that this would remove an obstacle to the propagation of the faith. Ninoslav's last years were peaceful, but after his death, about 1250, there were civil wars stimulated by the antagonism between Catharan and Catholic. He was succeeded by Prijesda, who had remained Catholic since his conversion in 1233. Under pretence of supporting Prijesda, Bela intervened, and by 1254 he had again reduced Bosnia to subjection, leading, doubtless, to active persecution of heresy, although the transfer of the see of Bosnia to Kalocsa was not carried into effect.*

It was about this time that Rainerio Saccone gives us his computation of the Perfects in many of the Catharan churches. In Constantinople there were two churches, a Latin and a Greek, the former comprising fifty Perfects. The latter, together with those of Bulgaria, Roumania, Slavonia, and Dalmatia, he estimates at about five hundred. This would indicate a very large number of believers, and shows how unfruitful had been the labors and the wars which had continued for more than a generation. In fact, although Bela's long reign lasted until 1270, he failed utterly in his efforts to extirpate heresy. On the contrary, the Cathari grew

* Ripoll I. 175-6. — Klaić, pp. 107-13. — Kukuljević, Jura Regni Croatiæ, Dalmatiæ et Slavoniæ, Zagrabiæ, 1862, I. 67.

ever stronger and the Church sank lower and lower. Even the Bosnian bishops dared no longer to remain in their see, but resided in Djakovar. So little reverence was there felt in those regions for the Holy See that so near as Trieste, when, in 1264, two Dominicans commissioned to preach the crusade against the Turks endeavored to perform their duty, the dean and canons hustled them violently out of the church, and would not even allow them to address the crowd in the public square, while the archdeacon publicly declared that any one who listened to them was excommunicate.*

Things grew worse with the accession, in 1272, of Bela's grandson, Ladislas IV., known as the Cuman, from his mother Elizabeth, a member of that pagan tribe. Ladislas lived with the Cumans and shared their religion until his contempt for the Holy See manifested itself in the most offensive manner. The papal legate, Filippo, Bishop of Fermo, had called a council to meet at Buda, when Ladislas ordered the magistrates of the city not to permit the entrance of any prelates, or the supplying of any food to the legate, who was thus forced to depart ignominiously. This called down upon him the anger of Rodolph of Hapsburg and of Charles of Anjou, and he was fain, in 1280, to make reparation, not only by a humble apology and a grant of one hundred marks per annum for the founding of a hospital, but by adopting and publishing as the law of the land all the papal statutes against heresy, and swearing to enforce them vigorously, while his mother Elizabeth did the same as Duchess of Bosnia. Something was gained by this, and still more, when, in 1282, Ladislas appointed as ruler of Bosnia his brother-in-law, Stephen Dragutin, the exiled King of Servia. The latter, although a Greek, persecuted the Cathari; and when, about 1290, he was converted to Catholicism, his zeal increased. He sent to Rome Marino, Bishop of Antivari, to report the predominance of heresy and to ask for aid. Nicholas IV. promptly responded by commissioning a legate to Andreas III., the new King of Hungary, to preach a crusade, and the Emperor Rodolph was ordered to assist, but the effort was bootless. Equally vain was his command to the Franciscan Minister of Slavonia to select

* Rainerii Summa (Martene Thesaur. V. 1768).—Klaić, p. 153.—Theiner Monumenta Slavor. Meridional. I. 90.

two friars acquainted with the language, and send them to Bosnia to extirpate heresy. The request at the same time made to Stephen to support them with the secular arm shows that the missionaries were in fact inquisitors. Unluckily, Nicholas in his zeal also employed Dominicans in the business. Inspired by the traditional hatred between the Orders, the inquisitors, or missionaries, employed all their energies in quarrelling with each other, and became objects of ridicule instead of terror to the heretics.*

In 1298 Boniface VIII. undertook finally to organize the Inquisition in the Franciscan province of Slavonia, which comprised all the territory south of Hungary, from the Danube to Macedonia. The provincial minister was ordered to appoint two friars as inquisitors for this immense region, and was intrusted as usual with the power of removing and replacing them. This slender organization he endeavored to supplement by ordering the Archbishop of Kalocsa to preach a crusade, but there was no response, and the proposed Inquisition effected nothing. When Stephen Dragutin died, in 1314, Bosnia was conquered by Mladen Subić, son of the Ban of Croatia, under whom it was virtually independent of Hungary. Mladen made some show of persecuting heresy — at least when he had a request to make at Avignon—but as the vast majority of his subjects were Cathari, whose support was absolutely necessary to him, it is safe to say that he made no serious effort. In 1319 John XXII. describes the condition of Bosnia as deplorable. There were no Catholic ecclesiastics, no reverence for the sacraments; communion was not administered, and in many places the rite of baptism was not even known or understood. When such a pontiff as John felt obliged to appeal to Mladen himself to put an end to this reproach, it shows that he had no means of effective coercion at hand.†

Mladen was overthrown by Stephen Kostromanić, and when he fled to Hungary, Charles Robert cast him in prison, leaving undisturbed possession to Stephen, who styled himself Ban by the grace of God. Stephen, in 1322, seems to have abandoned Catholicism, joining either the Greeks or the Cathari, but in spite of this

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* Raynald. ann. 1280, No. 8, 9; ann. 1291, No. 42–44. — Klaić, pp. 116–9. — Wadding. ann. 1291, No. 12.

† Wadding. ann. 1298, No. 2.—Klaić, pp. 123–4.—Raynald. ann. 1319, No. 24.

affairs commenced to look more favorable. Hungary began to emerge from the disorders and disasters which had so long crippled it, and King Charles Robert was inclined to listen to exhortations as to his duty towards the Bosnian heretics. In 1323, therefore, John XXII. made another attempt, sending Frà Fabiano thither and ordering Charles Robert and Stephen to give him effective support. The latter was obdurate, though the former seems to have manifested some zeal, if one may believe the praises bestowed on him in 1327 by John. Fabiano was indefatigable, but his duty proved no easy one. At the very outset he met with unexpected resistance in a city so near at hand as Trieste. When he endeavored there to enforce the decrees against heresy, and to arouse the people to a sense of their duty, the bells were rung, a mob was assembled, he was dragged from the pulpit and beaten, the leaders in the disturbance being two canons of the Cathedral, Michele da Padua, and Raimondo da Cremona, who were promptly ordered by the pope to be prosecuted as suspects of heresy. Hardly had he settled this question when he was involved in a controversy with the rival Dominicans, whom he found to be poaching on his preserves. A zealous Dominican, Matteo of Agram, by suppressing the fact that Slavonia was Franciscan territory, had obtained from John letters authorizing the Dominican provincial to appoint inquisitors, commissioned to preach a crusade with Holy Land indulgences, and these inquisitors had been urgently recommended by the pope to the King of Hungary and other potentates. It was impossible that the Orders could co-operate in harmony, and Fabiano made haste to represent to John the trap into which he had been led. The pope was now at the height of his controversy with the greater part of the Franciscans over the question of poverty, and it was impolitic to give just grounds of complaint to those who remained faithful; he therefore promptly recalled the letters given to the Dominicans, and scolded them roundly for deceiving him. Even yet it seemed impossible for Fabiano to penetrate beyond the borders of his district, or to work without impediment, for in 1329 he was occupied with prosecuting for heresy the Abbot of SS. Cosmas and Damiani of Zara and one of his monks, when John, the Archbishop of Zara, intervened forcibly and stopped the proceedings. The difficulties thrown in Fabiano's way must have been great, for he felt compelled to visit Avignon

for their removal, but his usual ill-luck accompanied him. The contest between the papacy on the one side, and the Visconti and Louis of Bavaria on the other, rendered parts of Lombardy unsafe for papalists, and a son of Belial named Franceschino da Pavia had no scruple in laying hands on the inquisitor and despoiling him of his horses, books, and papers. During all this time the Inquisition must have been at a standstill, but at last Fabiano overcame all obstacles. In 1330 he returned to the scene of action; Charles Robert and Stephen lent him their assistance, and the work of suppressing the Cathari commenced under favorable auspices, and by the methods which we have seen so successful elsewhere. The condition of the Bosnian Church may be guessed from the fear felt by John XXII. that the bishops would be heretics, leading him, in 1331, to reserve their appointment to the Holy See. Yet on the death of Bishop Peter, in 1334, the chapter elected a successor, and Charles Robert endeavored to force a layman on the Church, causing a disgraceful quarrel which was not settled until Benedict XII., in 1336, pronounced in favor of the candidate of the chapter.*

The spiritual condition of the Slavs at this period is indicated by an occurrence in 1331 nearer home. The Venetian inquisitor, Frà Francesco Chioggia, in visiting his district, found in the province of Aquileia innumerable Slavs who worshipped a tree and fountain. Apparently they were impervious to his exhortations, and he had no means at the moment to enforce obedience. He was obliged to preach against them, in Friuli, a crusade with Holy Land indulgences. He thus raised an armed force with which he cut down the tree and choked up the fountain; unfortunately, we have no record of the fate of the nature-worshippers.†

Benedict XII. was as earnest as his predecessor. Yet even Dalmatia was still full of heresy, for in 1335 he felt obliged to write to the Archbishop of Zara and the Bishops of Trau and Zegna, ordering them to use every means for the extermination of heretics, and to give efficient support to the inquisitors. The Dalmatian prelates, it is true, prevailed upon the magistrates of Spalatro and Trau to

* Klaić, pp. 124–5, 139–40, 154–6.—Theiner Monument. Slavor. Merid. I. 157, 234.—Raynald. ann. 1325, No. 28; ann. 1327, No. 48.—Wadding. ann. 1325, No. 1–4; ann. 1326, No. 3–7; ann. 1329, No. 16; ann. 1330, No. 10.

† Archivio di Venezia, Fontanini MSS. III. 560.

enact laws against heresy, but these were not enforced. A century had passed since the Inquisition was founded, and yet the duties of persecution had not even then been learned on the shores of the Adriatic. The work seemed further than ever from accomplishment. The Cathari continued to multiply under the avowed protection of Stephen and his magnates. A gleam of light appeared, however, when, in 1337, the Croatian Count Nelipic, a bitter enemy of Stephen, offered his services to Benedict, who joyfully accepted them, and summoned all the Croatian barons to range themselves under his banner in aid of the pious labors of Fabiano and his colleagues. War ensued between Bosnia and Croatia, of the details of which we know little, except that it brought no advantage to the faith, until it threatened to spread.*

Stephen's position, in fact, was becoming precarious. To the east was Stephen Dusan the Great, who styled himself Emperor of Servia, Greece, and Bulgaria, and who had shown himself unfriendly since the union of Herzegovina with Bosnia. To the north was Charles Robert, who was preparing to take part in the war. It is true that the Venetians, desirous to keep Hungary away from their Adriatic possessions, were ready to form an alliance with Stephen, but the odds against him were too great. He probably intimated a readiness to submit, for when, in 1339, Benedict sent the Franciscan General Gherardo as legate to Hungary, Charles Robert convoyed him to the Bosnian frontier, where Stephen received him with all honor, and said that he was not averse to extirpating the Cathari, but feared that in case of persecution they would call in Stephen Dusan. If liberally supported by the pope and King of Hungary he would run the risk. In 1340 Benedict promised him the help of all Catholics, and he allowed himself to be converted, an example followed by many of the magnates. It was quite time, for Catholicism had virtually disappeared from Bosnia, where the churches were mostly abandoned and torn down. Gherardo hastened to follow up his advantage by sending missionaries and inquisitors into Bosnia. That there was no place there, however, for the methods of the Inquisition, and that persuasion, not force, was required, is seen by the legends which recount how

* Theiner Monument. Slavor. Merid. I. 174, 175.—Wadding. ann. 1331, No. 4; ann. 1337, No. 1.—Raynald. ann. 1335, No. 62.—Klaić, pp. 157–8.

one of these inquisitors, Fray Juan de Aragon, made numerous converts, after a long and bitter disputation in an heretical assembly, by standing unhurt on a blazing pyre; and how one of his disciples, John, repeated the experience, remaining in the flames while one might chant the Miserere. These miracles, we are told, were very effective, and the stories show that nothing else could have been so. Stephen remained true to his promises, and the Catholic Church commenced to revive. A bull of Clement VI., in 1344, recites that, deceived by the falsehoods of the Franciscan General Gherardo, he had ordered the Bosnian tithes paid over to the friars on the pretext of rebuilding the churches, but on the representation of Laurence, Bishop of Bosnia, that they belonged to him and that he had no other source of support, he is in future to receive them. At the instance of Clement, in 1345, Stephen consented to allow the return of Valentine, Bishop of Makarska, who for twenty years had been an exile from his see, and the next year a third bishopric, that of Duvno, was erected. The Catharan magnates were restless, however, and when Dusan the Great, in 1350, invaded Bosnia many of them joined him, but their prospects became worse when peace followed in 1351, and when, in 1353, shortly before his death, Stephen married his only child to Louis of Hungary, a zealous Catholic who had succeeded his father, Charles Robert, in 1342.*

Stephen Kotromanić was succeeded by his young nephew, Stephen Tvrtko, under the regency of his mother, Helena. Under such circumstances, dissatisfied and insubordinate Catharan magnates had ample opportunity to produce confusion. Of this full advantage was taken by Louis of Hungary as soon as the death of Dusan the Great, in 1355, relieved him from that formidable antagonist. The Dominicans hastened, in 1356, to obtain from Innocent VI. a confirmation of the letters of John XXII., of 1327, authorizing them to preach a crusade against the heretics with Holy Land indulgences. Louis seized Herzegovina as a dower for his wife Elisabeth, reduced Stephen Tvrtko to the position of a vassal, and forced him to swear to extirpate the Cathari. Not content with this he proceeded to stir up rebellion among the magnates, pro-

* Klaić, pp. 159–61, 181–3.—Wadding. ann. 1340, No. 6–10.—Theiner, op. cit. I. 211.

ducing great confusion, during which the Cathari regained their position. Then, in 1360, Innocent VI. conferred on Peter, Bishop of Bosnia, full powers as papal inquisitor, and also ordered a new crusade, which served as a pretext to Louis for a fresh invasion. Nothing was accomplished by this; but in 1365 the Cathari, irritated at Tvrtko's efforts to suppress them, drove him and his mother from Bosnia. Louis furnished him with troops, and asked Urban V. to send two thousand Franciscans to convert the heretics. After a desperate struggle Tvrtko regained the throne. His brother, Stephen Vuk, who had aided the rebels, fled to Ragusa and embraced Catholicism, after which, in 1368, he appealed for aid to Urban V., representing that his heretic brother had disinherited him on account of his persecuting heretics. Urban accordingly urged Louis to protect the orthodox Vuk, and to force Tvrtko to abandon his errors, but nothing came of it. Whether Tvrtko was Catharan or Catholic does not clearly appear. Probably he was indifferent to all but his personal interests, and was ready to follow whatever policy promised to serve his ambition, and his success shows that he must have had the support of his subjects, who were nearly all Cathari. Although, in 1368, Urban V. congratulated Louis of Hungary on the success of his arms, aided by the friars, in bringing into the fold many thousand heretics and schismatics, Louis himself, in 1372, reported that Christianity was established in but few places; in some the two faiths were commingled, but for the most part all the inhabitants were Cathari. It was in vain that Gregory XI. endeavored to found Franciscan houses as missionary centres; the Bosnians would not be weaned from their creed. Had Tvrtko followed a policy of persecution he could not have accomplished the conquests which, for a brief period, shed lustre on the Bosnian name. He extended his sway over a large part of Servia and over Croatia and Dalmatia, and when, in 1376, he assumed the title of king, there was no one to dispute it. After his death, in 1391, the magnates asserted virtual independence under a succession of royal puppets—Stephen Dabisa, his young son, under the regency of his widow, Helena, and then Stephen Ostoja. The most powerful man in Bosnia was the Vojvode Hrvoje Vukcić, who ruled the north, and next to him was his kinsman Sandalj Hranić who dominated the south. Both of these men were Cathari, and so was the king, Stephen

Ostoja, and all his family. Catholicism almost disappeared, and Catharism was the religion of the State. It was organized under a Djed (grandfather), or chief, with twelve Ucitelji, or teachers, of whom the first was the Gost, or visitor, the deputy and successor of the Djed, and the second was known as the Starac, or elder.*

These were state officials, and we see them occasionally acting in an official capacity. Thus, when, in 1404, the Vojvode Paul Klesić, who had been exiled, was recalled, it was the Djed Radomjer who sent Catharan envoys to Ragusa to bring him home, and who wrote to the Doge of Ragusa on the subject. Klesić was a Catharan, and his residence in Ragusa, as well as that of many similar Catharan exiles, shows that persecution had grown obsolete even on the coast of the Adriatic. In spite of his Catharism, Hrvoje Vukcić was made by Ladislas of Naples, Duke of Spalatro and lord of some of the Dalmatian islands, thus making Catharism dominant along the shore. In the troubles which ended in the deposition of Stephen Ostoja and the election of Stephen Tvrtko II. a "Congregation of the Bosnian Lords" was held in 1404, in which, among those present, are enumerated the Djed and several of his Ucitelji, but no mention is made of any Catholic bishop. Toleration seemed to have established itself. The Great Schism gave the Holy See abundant preoccupation, and missionary efforts are no longer heard of, until the Emperor Sigismund, as King of Hungary, bethought himself of re-establishing his claim over Bosnia. Two armies sent in 1405 were unsuccessful, but in 1407 Gregory XII. aided him with a bull summoning Christendom to a

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* Klaić, pp. 184–5, 187–8, 190–5, 200–1, 223, 262, 268–77, 287, 369.—Theiner Monument. Slavor. Merid. I. 233, 240.—Wadding. ann. 1356, No. 7; ann. 1368, No. 1–3; ann. 1369, No. 11; ann. 1372, No. 31–33; ann. 1373, No. 17; ann. 1382, No. 2.—Raynald. ann. 1368, No. 18; ann. 1372, No. 32.—Pet. Ranzani Epit. Rer. Hung. XIX. (Schwandtner Rer. Hung. Scriptt. p. 377).

In 1367 we find the people of Cattaro appealing to Urban V. for aid against the schismatics of Albania, and the heretics of Bosnia who were endeavoring to convert them by force (Theiner, op. cit. I. 259), which probably refers to some enterprise of the restless Sandalj Hranić. Yet when, in 1383, we hear of a Bishop of Bosnia, recently dead, who had lent 12,000 florins to Louis of Hungary, and had then bequeathed the debt to the Holy See (Ib. p. 337), we can only conclude that the orthodox Bosnian Church continued to exist and was not wholly penniless.

crusade against the Turks, the apostate Arians, and the Manichæans. Under these auspices, in 1408, he led a force of sixty thousand Hungarians and Poles into Bosnia, defeated and captured Tvrtko II., and recovered Croatia and Dalmatia, but the Bosnians were obstinate, and replaced Ostoja on the throne. Another expedition, in 1410–1411, drove Ostoja to the south, and Sigismund, for a while, retained possession of Bosnia, but when, in 1415, he released Tvrtko II. and sent him to Bosnia as king, a civil war immediately ensued. Tvrtko at first was successful, supported with a large Hungarian army, but Ostoja called the Turks to his assistance, and in a decisive battle the Hungarians were defeated. The Turks penetrated to Cillei in the Steyermark, devastating and plundering everywhere, and on their return carried with them thousands of Christian captives.*

This shows the new factor which had injected itself into the already tangled problem. In 1389 the fatal day of the Amselfeld had thrown open the whole Balkan peninsula to the Turks, who since then had been steadily winning their way. In 1392 we hear of their first incursion in southern Bosnia, after which they had constantly taken a greater part in the affairs of the Banate. The condition of the country was that of savage and perpetual civil war. There was no royal power capable of enforcing order, and the magnates were engaged in tearing each other to pieces. Devoid of all sentiment of nationality, no one had any scruple in calling in the aid of the infidel, in paying allegiance to him, or in subsidizing him to prevent his joining the opposite party. It was the same with Catholic, Catharan, and Greek. No sense of the ever-approaching danger served to make them abandon their internecine quarrels, and if a temporary petty advantage was to be gained there was no hesitation in aiding the Turk to a farther advance. The only wonder is that the progress of the Moslem conquest was so slow; there can be little doubt that it could have been arrested by united effort, and it may be questioned whether the rule of Islam was not, after all, an improvement on the state of virtual anarchy which it replaced. To the peasantry it offered itself rather as a deliverance. When, in 1461, Stephen Tomasević ascended the throne, in his appeal for aid to Pius II. he describes

* Klaić, pp. 275, 287–8, 291, 297–8, 304–5, 312–13, 324.

the Turks as treating the peasants kindly, promising them freedom, and thus winning them over, and he adds that the magnates cannot defend their castles when thus abandoned by the peasants.*

As regards the Cathari, the Turkish advance produced two contrary effects. On the one hand there was the danger that persecution would drive them to seek protection from the enemy. On the other hand there was absolute need of assistance from Christendom, which could only be obtained by submission to Rome, and obedience to her demands for their extermination. Both of these influences worked to the destruction of Bosnia, for when toleration was practised aid was withheld, and when at last persecution was established as a policy the Cathari welcomed the invader, and contributed to the subjugation of the kingdom.

In 1420 Stephen Tvrtko II. reappeared upon the scene, and the next year he was acknowledged. There followed a breathing-space, for the Turkish general Isaac was defeated and killed during an incursion into Hungary, and Mahomet I., involved in strife with Mustapha, had no leisure to repair the disaster. This did not last long, however, for in 1424 the sons of Ostoja endeavored, with Turkish help, to win back their father's throne, the only result of which was a war ending with the surrender of a portion of Bosnian territory to Murad II. Again, in 1433, when Tvrtko was fighting with the Servian despot, George Branković, he was suddenly called to the south to withstand a Turkish inroad invited by Radivoj, one of the sons of Ostoja, and this was immediately followed by the rising of Sandalj Hranić, the powerful magnate of Herzegovina, who drove Tvrtko to seek refuge with Sigismund. His absence lasted three years, during which the wildest confusion reigned in Bosnia, the Turks being constantly called in to participate with one side or the other.†

Meanwhile the rise of the Observantine Franciscans was restoring to the Church some of its old missionary fervor, and furnishing it with the necessary self-devoted agents. In spite of the preoccupations arising from the contest between Eugenius IV. and the Council of Basle, an effort was made to win back Bosnia to the faith. If anything could accomplish this there might be

* Klaić, p. 416.

† Ibid. pp. 335–8, 344–6, 351–3.

hope from the fierce and inexhaustible enthusiasm of the Observantine Friar, the Blessed Giacomo della Marca, who had already given evidence of ruthless efficiency as inquisitor of the Italian Fraticelli. In 1432 he was accordingly sent with full powers to reform the Franciscan Order in Slavonia, and to turn its whole energies to missionary work. Under this impulsion we are told that conversions were numerous from Bosnia to Wallachia, and Eugenius IV. stimulated rivalry by also setting the Dominicans at work. In 1434 Giacomo was driven out, but was sent back the next year, and distinguished himself by redoubled ardor and success, attributed, according to his biographers, partly to his miraculous powers. Alarmed at his progress, the wicked queen sent four assassins to despatch him, when he extended his arms and bade them do whatever God would permit, whereupon they became rigid and suffered agonies until he prayed for their release. Indignant at this attempt, he bearded the king and queen in full court, and his boldness gained him so many converts that the king became alarmed for his throne. A sorcerer was accordingly employed to slay the intrepid inquisitor, but Giacomo promptly rendered the man speechless for life. Some heretics then sawed through the supports of a platform where he was preaching. It fell, but he escaped, and to this day, says the legend, the posterity of the perpetrators have all been born halt and lame. These proofs of divine favor led to numerous conversions, but he became involved in quarrels with the Catholic clergy, caused, we are told, by envy, and they excommunicated him, so that he was obliged to seek absolution from the pope. His triumphant career was cut short by a summons from the Emperor Sigismund to assist in the pacification of the Hussite troubles, and his field of action was transferred to regions farther north, where we shall meet him hereafter. Even there, however, he did not forget his Bosnian enemies, for at Stuhlweissenburg, on meeting the legates of the Council of Basle, he at once asked them to exert their influence on Sigismund. Though King Stephen, he said, was an unbaptized heretic who would not allow his subjects to be baptized, a command from the emperor would be sufficient to compel him to yield. Giacomo, moreover, had left behind him worthy disciples from among the natives. One of these, the Blessed Angelo of Verbosa, shone also by miraculous gifts. On one occasion the

heretics gave him poison to drink, but on making the sign of the cross above the cup it became innocuous, which brought him many converts.*

This legendary extravagance has some foundation in fact. A bull of Eugenius IV., in 1437, speaks of sixteen Franciscan churches and monasteries destroyed by the Turks within two years, and another grants to the friars who remained certain privileges in hearing confessions, which show that they had been active, and had been winning their way. Giacomo's influence at Stuhlweissenburg is, moreover, indicated by his inducing Sigismund to compel Stephen Tvrtko to undergo baptism, and to issue from that place, in January, 1436, an edict taking the Franciscans under his protection, and permitting them to spread Catholicism throughout Bosnia. In reward for this Sigismund aided his return to his kingdom, which he found possessed partly by Servia, partly by the Turks, and wholly devastated. For what he could obtain of this ruined land he had to render allegiance to Murad II., and to pay him a yearly tribute of twenty-five thousand ducats. Wretched as was this simulacrum of royalty, it was incompatible with the favor which he had been compelled to show to Catholicism. Southern Bosnia by this time was independent under Stephen Vukcić, nephew and successor of Sandalj; as a Catharan, he was regarded throughout Bosnia as the defender of the national faith, and, in alliance with Murad II., he overthrew Stephen Tvrtko II.†

In 1444 another king was elected in the person of Stephen Thomas Ostojić, a younger natural son of Ostoja, who had carefully kept himself in obscurity with a low-born Catharan wife, to whom he had been married with the Catharan ceremony — a fact which subsequently served as an excuse for a divorce. Almost the first question which the new king had to decide was whether he would adhere to his religion or cast his fortunes with Catholicism. The Church had not relaxed its efforts to win over the fragments re-

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* Wadding. ann. 1433, No. 12–13; ann. 1435, No. 1–7, 9; ann. 1476, No. 39–40; ann. 1498, No. 2.—Ægid. Carlerii Lib. de Legationibus (Monument. Concil. General. Sæc. XV. T. I. p. 676).

† Theiner Monument. Slavor. Merid. I. 375, 376. — Klaić, pp. 354–6, 364–5, 369.

maining of Bosnia, in spite of the fact that it was only aiding the designs of the Turks by adding to confusion and discord. In 1437 the vacancy left by Giacomo della Marca had been filled by the appointment of Frà Niccolò of Trau, and since 1439 Tommaso, Bishop of Lesina, had been in Bosnia as papal legate, busily engaged in furthering the interests of Catholicism. He had failed in an effort to convert Stephen Vukcić, but the advent of a new king was an incentive to further exertions. Eugenius promptly appointed the Observantine Vicar of Bosnia, Fabiano of Bacs, and his successors perpetual inquisitors over the Slavonic lands, and instructed the Bishop of Lesina to promise Stephen Thomas the recognition of his election if he would embrace the true faith. The position was a difficult one. All his magnates, with the exception of Peter Vojsalić, were Catharans, and to offend them would be to invite Turkish intervention, while, so long as he held aloof from Christendom, he could expect no aid from the West. Doubtless promises that could not be fulfilled were made to him in plenty, for he concluded to cast his fortunes with Catholicism, but he abstained from receiving the crown offered to him by Eugenius for fear of offending his Catharan subjects. He permitted the erection of two new bishoprics, he was duly baptized, and he labored long and earnestly to induce his subjects to follow his example. Nearly all his magnates did so, but Stephen Vukcić was a conspicuous exception, and the common people were not so easily moved. Even the king himself did not dare to omit the customary "adoration" of the Perfects, for which he was duly excommunicated by the inquisitor, but the pope recognized the difficulty of his position, and wisely gave him a dispensation for associating with heretics.*

Although many Catholic churches were built, the legate reported, on a visit to Rome, that the land was too full of heresy for other cure than the sword. The king's position was too insecure for him to venture on persecution, which would infallibly have led to a revolt. In a grant, in 1446, of certain towns to Count Paul Dragisić and his brothers, who were zealous Cathari,

* Klaić, pp. 366–7, 369–70, 372–3.—Wadding. ann. 1437, No. 2–3; ann. 1444, No. 42–3.—Ripoll III. 91.—Raynald. ann. 1444, No. 2; ann. 1445, No. 23; ann. 1447, No. 21.—Theiner, op. cit. I. 388, 389, 395.

it is provided that, in case of their committing treason, the gift is not to be resumed without a previous investigation "by the Lord Djed and the Bosnian Church and good Bosnians." The Franciscans complained of his lukewarmness to Nicholas V., when he justified himself on the plea of necessity; he longed, he said, for the time when he could offer to his subjects the alternative of death or conversion, but as yet the heretics were too numerous and powerful and his position too precarious. Nicholas calmed the Franciscans, and they eagerly awaited the good time to come.*

The defeat, in 1448, of John Hunyady, in a three days' battle on the historic Amselfeld, led, in 1449, to a seven years' peace between him and Murad II., in which Bosnia was included. Peace with Servia followed, and, thus relieved from the fear of foreign aggression, Stephen Thomas was summoned to perform his promises. Before the papal representatives he was obliged to give a solemn pledge to John Hunyady that he would strike heresy with a crushing blow. Nicholas V., who had sent the Bishop of Lesina back as legate, ordered him to preach a crusade with Holy Land indulgences, and active efforts were made in the good work. Early in 1451 the Bishop of Lesina sent most encouraging reports of the result. Many of the nobles had sought conversion; the king in every way helped the Franciscans, and had founded several houses for them; wherever these houses existed the heretics melted away like wax before the fire, and if a sufficient supply of friars could be had heresy would be extirpated. Not quite so rose-colored was the statement of a Dominican, Frà Giovanni of Ragusa, that in Bosnia and Servia there were very few monks and priests, so that the people were wholly untrained in the faith. Unmindful of the danger of conjoining the two Orders, Nicholas sent him thither with some of his brethren on missionary work, and at the same time despatched the Franciscan Eugenio Somma to Albania, Bulgaria, and Servia in the double capacity of nuncio and inquisitor.†

The good Bishop of Lesina had been over-sanguine. In the

* Klaić, pp. 373–4.—Raynald. ann. 1449, No. 9.

† Klaić, pp. 376–77, 379.—Raynald. ann. 1449, No. 9; ann. 1450, No. 13; ann. 1461, No. 136.—Wadding. ann. 1451, No. 47, 52–3.—Ripoll III. 286.

first pressure of persecution forty heads of the Catharan Church, with great numbers of the laity, sought refuge with Stephen Vukcić, who proceeded to attack the Catholics of Ragusa, while many others fled to Servia and to the Turks, and appealed to them for help. Those who remained prepared for resistance, and a bloody religious war broke out, of which George Branković of Servia took advantage to renew the war suspended in 1449. This was more than Stephen Thomas could endure; he was forced to abandon persecution and to call for help. John Hunyady was enraged at his weakness, and ordered him to make peace with Servia. He appealed to Nicholas V., who remonstrated with Hunyady, when the latter retorted that Stephen Thomas was false to his promises, and, in place of exterminating the heretics, was protecting them, to the scandal of all Christendom.*

On the fall of Constantinople, in May, 1453, Stephen Thomas promptly sent envoys to Mahomet II. to tender his allegiance. In the ever-deepening menace of the Turks persecution could hardly be resumed with activity, but the popes occasionally gave him a portion of the moneys raised for the crusade, and the Cathari were humiliated and proscribed as far as could be ventured upon, and constituted a discontented and dangerous element of the population. In 1459 we find the king protesting to Pius II. that he persecuted the Cathari roundly, and asking for more bishops; and one of his latest acts was to send the Bishop of Nona to the pope with three Catharan magnates—George Kucinić, Stojsav Tvrtković, and Radovan Viencinić—that they might be converted. It seems incredible that any one should covet a throne so precarious, and yet, in 1461, while Stephen Thomas was battling with the Croatian magnates, he was murdered by his son, Stephen Thomasević, and his brother Radivoj. The crown which Stephen Thomasević thus won by a parricide was a crown of thorns. To the north Matthias Corvinus of Hungary was estranged and unforgiving; to the west was Croatia, with which he was at war; in the south Stephen Vukcić was his enemy; while on the east lay Servia, now a Turkish pashalic, from which Mahomet II. only awaited the fitting moment to reduce Bosnia to a like condition. Thus surrounded by foes, the internal condition of the land was

* Theiner, op. cit. I. 408.—Klaic, pp. 380-2.

not reassuring, for it was full of secret or open Cathari, who longed for help or revenge, no matter whence it might come.*

The new king recognized that his only hope lay in obtaining aid from Christendom, to earn which he labored energetically to strengthen the Catholic Church in his dominions, but, in the fatal perverseness of the time, this only precipitated his downfall. From Pius II. he obtained only barren instructions to the legate, Lorenzo, Abbot of Spalatro, to collect money and crusaders. From Matthias Corvinus he purchased an alliance by a heavy payment, by surrendering some castles, and by breaking off relations with the Turks and ceasing to pay them tribute. In all this he estranged still further his heretic subjects and drew upon his head the vengeance of Mahomet II. Many Cathari, driven from Bosnia, had found refuge in Moslem territory; others, especially nobles, forced to pretend conversion, maintained constant relations with the Turks, kept them advised of all that occurred, and were eager to aid them, in hopes of revenge. The news of the treaty with Matthias Corvinus was speedily conveyed to Mahomet, who, to test its truth, sent an envoy to demand the tribute. King Stephen took him to the treasury, showed him the money, and refused to deliver it, saying that he needed it for self-defence, or that it would support him in exile if driven from the kingdom, and he paid no heed to the envoy's warning that treasure withheld in defiance of pledges would bring him no luck.†

Defiance such as this left nothing to hope for from the Turk, but preoccupations in Wallachia kept Mahomet busy during 1462, and he postponed his revenge till the following year. It shows the blindness of Rome to the situation and the unflagging persistency of the determination to secure uniformity of faith, that during this respite Pius II. sent learned friars to Bosnia with instructions that the best mode of overcoming heresy was to promote study. The instructions were excellent, but sadly misplaced. Through the winter and spring of 1463 Mahomet was preparing the final blow by massing one hundred and fifty thousand men at Adrianople. To throw Stephen Thomasevic off of his guard, his request for a fifteen years' truce was granted, and his envoys, re

* Klaić, pp. 398, 408–9, 412, 414–15.—Theiner, I. 432.

† Klaić, pp. 424–6.

turning with this welcome news, were followed, after an interval of four days, by the Turkish host. The land was found defenceless, and no resistance was offered till the invaders reached the royal castle of Bobovac, a stronghold capable of prolonged defence. Its commandant, however, was Count Radak, a Catharan who had been forced to conversion, and on the third day he surrendered on a promise of reward. When he claimed this, Mahomet, reproaching him with his treason, had him promptly beheaded, and tradition still points out on the road to Sutiska the rock Radakovica, where the traitor met his end. The capitulation of Bobovac cast terror throughout the land. Resistance was no longer thought of, and the only alternatives were flight or submission. The king hurried towards the Croatian frontier, with Mahomet Pasha at his heels, and was compelled at Ključ to surrender on promise of life and freedom, but, in spite of this, he was put to death, after being utilized to order all commandants of cities and castles to surrender them. Within eight days more than seventy towns fell into the hands of the Turks, and by the middle of June all Bosnia was in their possession. Then Mahomet turned southward to overrun the territories of Stephen Vukcić, but the mountains of Herzegovina were bravely defended by the Cathari, and by the end of June the Turkish host took its way homeward, carrying with it one hundred thousand prisoners and thirty thousand youths to be converted into Janissaries.*

Thus abandoned by Christendom, except to hasten the end through perpetually inflaming religious strife, Bosnia was conquered without a struggle, while Herzegovina held out for twenty years longer. How easily the catastrophe might have been averted is seen in the fact that before the year 1463 was out Matthias Corvinus had reconquered a large portion of the territory so easily won, which was held until the Hungarian power was broken on the disastrous field of Mohacs in 1526. In the Turkish lands the Cathari for the most part embraced Mahometanism, and the sect which had so stubbornly endured the vicissitudes of more than a thousand years disappeared in obscurity. The Christians had the resource of flight, which they embraced, commencing an emigration which continued until the middle of the eighteenth

* Klaić, pp. 427-8, 432-6.—Wadding. ann. 1462, No. 82.

century. This was rather to escape oppression than persecution, for the Turks permitted them the exercise of their religion. When the blessed Angelo of Verbosa, the disciple of Giacomo della Marca, persuaded his fellow-believers to leave the country, Mahomet sent for him and menacingly asked him his reasons. "To worship God elsewhere," he boldly replied, and so eloquently pleaded his cause that the Turk ordered the Christians to be unmolested, and gave Angelo permission to preach. Thenceforth the Franciscans were the refuge and support of the Christians up to modern times, though they had many cruelties to endure at the hands of the barbarous conquerors.*

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* Klaic, pp. 437–9, 443.—Wadding. ann. 1478, No. 67; ann. 1498, No. 2–3; ann. 1500, No. 44.

There was at least one humorous incident connected with the conquest of Bosnia. On the occupation by the Turks of the capital, Jaicza, the Franciscans fled to Venice, carrying with them the body of St. Luke, which had been translated thither from Constantinople. The possession of so important a relic brought them great consideration, but involved them in a troublesome contest. For three hundred years the Benedictine house of St. Justina at Padua had rejoiced in owning the body of St. Luke, which was the source of much profit. The Benedictines objected to the intrusion of the döppelganger; and as no trustworthy tradition assigned two bodies to the saint, there was no chance of compromise. They appealed to Pius II., who referred the case with full powers of decision to his legate at Venice, Cardinal Bessarion. A trial in all legal form was held, lasting for three months and resulting in the victory of the Franciscans. The Paduan Luke, as an impostor, was forbidden to enjoy in future the devotion of the faithful, but no provision was made to compensate those who for three centuries had wasted on him their prayers and offerings, in the belief that they were securing the suffrages of the genuine Evangelist. The Paduans for years vainly endeavored to get Bessarion's decision set aside, and they were finally obliged to submit. Their strongest argument was that, about the year 580, the Emperor Tiberius II. had given to St. Gregory, then apocrisarius of Pelagius II. in Constantinople, the head of St. Luke, which was still exhibited and venerated in the Basilica of the Vatican. Now the Benedictine St. Luke was a headless trunk, while the Franciscan one was perfect, and they argued with reason that it was highly improbable that St. Luke had possessed two heads. This logic was more cogent than successful, though the Vatican clergy did not feel called upon to discredit their own valuable relic, which they continued to exhibit as genuine. The question was still further complicated by a superfluous arm of the Evangelist which was preserved in the Basilica of S. Maria ad Præsepe (Wadding. ann. 1463, No. 13–23).

CHAPTER VI.

GERMANY.

In 1209 Henry of Veringen, Bishop of Strassburg, accompanied Otho IV. on his coronation expedition to Rome. We have seen (p. 192) how some of the ecclesiastics in the emperor's train were scandalized by the almost open toleration of heretics in the papal city; possibly recriminations may have passed between the German and the Italian prelates, and the former may have been recommended to look more sharply after the orthodoxy of their own dioceses. Be this as it may, Bishop Henry is said to have carried home with him some theologians eager to punish aberrations from the faith, and a little investigation showed to his horror that his land was full of misbelievers. A searching inquest was organized, and he soon had five hundred prisoners representing all classes of society. He was a humane man, as the times went, and he sincerely sought their conversion, to which end he set on foot disputations, but his clergy were no match for the sectaries in knowledge of Scripture, and the faith gained little by the attempt. Recourse to stronger measures was evidently requisite, and he announced that all who were obstinate should be burned. This brought most of them to their senses; heretic books and writings were eagerly surrendered, and the converts abjured. About a hundred of them, however, under the persuasion of their leader, a priest of Strassburg named John, were obdurate, including twelve priests, twenty-three women, and a number of nobles. So ignorant were the episcopal officials of the method of proceeding against heretics that they were utterly at a loss how to convict these recusants; some form of trial seems to have been thought necessary, and resort was had to the old expedient of the red-hot iron ordeal. The heretics protested against it as a manifest tempting of God, but their objections were unavailing; those who denied their heresy were subjected to it, and naturally but few escaped.

One of them, named Reinhold, appealed to Innocent III. against this form of trial, and the pope promptly responded by forbidding its further use in such matters, although we are told by contemporaries that its efficacy was abundantly proved by miracles. One of the heretics who repented at the last moment was divinely cured of his burn and was discharged. Returning home rejoicing, his wife upbraided him with his weakness, and under her reproof he relapsed. Immediately the burn reappeared, and a similar one was developed on the hand of the wife, inflicting such agony that neither could restrain their screams. Fearing to betray themselves, they rushed to the woods, where they yelled like wild beasts; this led to their speedy discovery, and before the ashes of their confederates were yet cold they both shared the same fate. More fortunate was one of a number of heretics convicted in this manner at Cambrai about the same time. On his way to the stake he listened to the exhortations of a priest and commenced to repent and confess. As he did so his hand began to heal, and when he received absolution there was no trace left of the burn. Then the priest called attention to him, pronouncing him innocent, and on the evidence of his uninjured hand he was discharged. At Strassburg there were eighty obstinate ones, whose heresy was proved by the ordeal. They were all burned the same day in a ditch beyond the walls, and in the sixteenth century the hollow was still known to the citizens as the Ketzergrube. The property of the condemned was duly confiscated and was divided between the magistrates and those who had labored so successfully in vindicating the faith.*

* Kaltner, Konrad von Marburg, Prag, 1882, pp. 41–5. — Frag. Hist. (Urstisii Scriptt. P. II. p. 89).—Chronik des Jacob v. Königshofen (Chroniken der deutchen Städte, IX. 649).—Trithem. Chron. Hirsaug. ann. 1215.—H. Mutii Chron. Lib. XIX. ann. 1212.—Innoc. PP. III. Regest. XIV. 138.—Cæsar. Heisterb. Dist. III. cap. 16, 17.

On the authority of Daniel Specklin, a Strassburg annalist who died in 1589, Bishop Henry is said to have met St. Dominic in Rome, to have promised him and Innocent III. to introduce the Dominican Order in Strassburg, and to have taken some members home with him, who speedily multiplied to about a hundred, and distinguished themselves by the persecution related in the text (Kaltner, loc. cit.; cf. Hoffman, Geschichte der Inquisition II. 365–71). At this period, as we have seen in a former chapter, Dominic was laboring obscurely in Languedoc, and it was not until 1214 that the liberality of Pierre Cella suggested to him

It is not to be supposed that Strassburg was a solitary centre of heresy, and that this was the only case of contemporary persecution. Fragmentary allusions to the detection and punishment of misbelief in other places during the next few years show that the population of the Rhinelands was deeply infected, and that when the ignorance and sloth of the clergy permitted detection, heretics were ruthlessly exterminated. The event at Strassburg, however, happens to have been reported with a fulness of detail which invests it with peculiar importance as revealing the methods of the episcopal inquisition of the period, and the nature of existing religious dissidence.*

The Cathari appear to have virtually disappeared from Germany, where their foothold, at least, had been precarious. German soil seems to have been unpropitious to this essentially Southern growth. On the other hand, Waldenses were numerous, together with sectaries known as Ortlibenses or Ordibarii.

We have already seen how rapidly Waldensianism extended from Burgundy to Franche Comté and Lorraine, and how, in 1199, Innocent III., after vainly endeavoring to persuade the Waldenses of Metz to surrender their vernacular Scriptures, had sent thither the Abbot of Citeaux and two other abbots to repress their zeal. The abbots duly performed their mission, preached to the misguided zealots, and burned all such copies of the forbidden books as they could lay their hands on, though it is fair to presume, from the silence of the chronicler, that no human victims expiated at the stake their unlawful studies. The consequence of this misplaced lenity was the emboldenment of the heretics. Some years later when Bishop Bertrand was preaching in the cathedral he saw two whom he recognized, and pointed them out, saying, "I see among you missionaries of the Devil; there they are, who in my presence at Montpellier were condemned for heresy and cast out." The unabashed Waldenses, with a companion, replied to him with insults, and, leaving the church, gathered a crowd, to whom they preached their doctrines. The bishop was powerless to silence them, for, when he attempted to use force, he found them

the idea of assembling around him in Toulouse half a dozen kindred spirits. It was not until 1224 that the Dominican convent in Strassburg was founded (Kaltner, p. 45).

* Kaltner, p. 45.—Hoffmann, II. 371-2.—Trithem. Chron. Hirsaug. ann. 1215.

protected by some of the most influential citizens of the town, and they were able to disseminate their pestiferous opinions in safety. Here, as in many other places, quarrels between the people and the bishop paralyzed the arm of the Church, and the Waldenses for many years continued to infect the city.*

It cannot, therefore, surprise us that nearly all the heretics burned at Strassburg in 1212 belonged to this sect. From their writings and confessions a list of three hundred errors was compiled, afterwards condensed into seventeen, and these were read before them to the people while they were on their way to the place of execution. Priest John, their leader, admitted the correctness of all save one alleging promiscuous sexual intercourse, which he indignantly denied. Those which he admitted show how rapidly their doctrines were developing to their logical conclusions, and how impassable was the gulf which already separated them from the Church. All the holy orders were rejected, and this already led to the abolition of sacerdotal celibacy; disbelief in purgatory was definitely adopted, with its consequences as to prayers and masses for the dead, and there had already been invented, before St. Francis and his followers, the dogma that Christ and his disciples held no property.†

The Ortlibenses or Ordibarii, who were also represented among the victims of Strassburg, demand a somewhat more detailed consideration than their immediate importance would seem to justify, because, although comparatively few in numbers, they present the earliest indication of a peculiar tendency in German free thought which we shall find reproduce itself in many forms, and constitute, with almost unconquerable stubbornness, the principal enemy with which the Inquisition had to deal.

Early in the century Maître David de Dinant, a schoolman of Paris, whose subtlety of argumentation rendered him a favorite with Innocent III., had indulged in dangerous speculations derived

* Innoc. PP. III. Regest. II. 141, 142, 235. — Alberic. Trium Font. ann. 1200.— Cæsar. Heisterb. Dist. v. c. 20.

† Kaltner, op. cit. pp. 69–71. — I am rather inclined to believe that honest Daniel Specklin has drawn to some extent upon his own convictions for this list of errors. Among them he enumerates lay communion in both elements. As the cup at this time had not been withdrawn from the laity, its administration would not have been characterized as a heresy.

from the Aristotelian philosophy, as transmitted through the Arab commentators, adulterated with neo-Platonic elements, which transmuted the theism of the Greek into a kind of mystic pantheism. These speculations were carried still further by his fellow-schoolman, Amauri de Bène, a favorite of the heir-apparent, Prince Louis. His views were condemned by the university in 1204; he appealed to the Holy See, but was compelled to abjure in 1207, when he is said to have died of mortification. He had disciples, however, who propagated his doctrines in secret. They were mostly men of education and intelligence, theologians of the university and priests, except a certain goldsmith named Guillaume, who was esteemed as the prophet of the little sect. It was impossible that bold speculations of this nature should remain stationary, and the theoretical premises of David and Amauri were carried to unexpected conclusions in the effort to reduce them into a system for proselytism among the people. Amauri had taught that God was the essence of all creatures, and, as light could not be seen of itself, but only in the air, so God was invisible except in his creatures. The inevitable deduction from this was that after death all beings would return to God, and in him be unified in eternal rest. This swept away the doctrines of future retribution, purgatory, and hell, and, as the Amaurians did not fail to point out, the innumerable observances through which the Church controlled the consciences and the wealth of men through its power over the keys and the treasury of salvation. As this was destructive to the ecclesiastical system, so was the doctrine equally subversive of morality, which taught that such was the virtue of love and charity that whatever was done in their behalf could be no sin, and, further, that any one filled with the Holy Ghost was impeccable, no matter what crime he might commit, because that Spirit, which is God, cannot sin, nor can man, who is nothing of himself, so long as the Spirit of God is in him.*

There was in these utterances an irresistible attraction to

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* Tocco, L'Heresia nel Medio Evo, p. 21.—D'Argentrê, Collect. Judic. I. I. 127. —Cæsar. Heisterbac. v. 22.—Nich. Trivetti Chron. ann. 1215 (D'Achery Spicileg. III. 185.—Rigord. de Gest. Phil. Aug. ann. 1210. — Guillel. Nangiac. ann. 1210.— Eymeric. Direct. Inquis. P. II. Q. vii.—Cf. Renan, Averroès et l'Averroïsme, 3d Ed. pp. 220–4.

minds prone to mystic exaltation. Even the orthodox Cæsarius of Heisterbach argues that much is permitted to the saints which is forbidden to sinners; where is the Spirit of God, there is liberty—have charity, and do what thou pleasest.* When the fatal word had once been spoken, it could not be hushed to silence, and, in spite of the most persistent and unsparing efforts of repression, these dangerous heights of superhuman spirituality continued to be the goal of men dissatisfied with the limitations of frail humanity, down to the time of Molinos and the Illuminati, and the influence of the doctrine is to be traced in the reveries of Madame Guyon and the Quietists.

Yet the Amaurian heresy was speedily crushed in its place of origin. In his proselyting zeal, Guillaume the goldsmith, in 1210, approached a certain Maître Raoul de Nemours, who feigned readiness of conviction, and reported the matter to Pierre, Bishop of Paris, and Maître Robert de Curzon, the papal supervisor of preaching in France. By their advice he pretended conversion and accompanied the Amaurians on a missionary tour which lasted for three months and extended as far as Langres. We learn something of the habits of the sectaries when we are told that to keep up the deception he would pretend to be wrapped in ecstasy, with face upturned to heaven, and on recovering himself would relate the visions which had been vouchsafed to him, though he successfully evaded the requests that he should preach the new doctrines in public. When fully informed as to all details, he communicated with the authorities, and arrests were made. A council of bishops was convened in Paris which found no difficulty in condemning all concerned; those who were in orders were degraded, and they were all handed over to the secular authorities. There were as yet no laws defining the punishment of heresy, so their fate was postponed until the return of the king, who was then absent. The result was that four of the leaders were imprisoned for life and ten were burned, who met their fate with unshrinking calmness. The simple folk of both sexes who had been seduced into following them were mercifully spared. A few executions took place elsewhere, such as that of one of the heresiarchs, Maître Godin, who was tried and burned at Amiens; the remains of Amauri

* Cæsar. Heisterb. VI. 5.

were exhumed and exposed to the dogs, after which his bones were scattered in the fields; the writings of the enthusiasts were forbidden to be read; the study of natural science in the university was suspended for three years, and the works of Aristotle, which had given rise to the heresy, were publicly burned.*

The doctrine of impeccability was likely to give loosened rein to human passion in those whose spiritual exaltation did not lift them above the weakness of the flesh, and there may be truth in the accusations current against the Amaurians, that the disciples of both sexes abandoned themselves to scandalous license, under the pretext of yielding to the demands of Christian love. Yet the popular designation of Papelards bestowed on the sectaries show that they at least preserved an exterior of sanctity and devotion, and that they prudently abstained from putting into practice their theories of the uselessness of the sacraments and of all external cult.

The heresy was thus crushed in its birthplace, where we hear no more of it except that there were teachers of it in Dauphiné, where they were confounded with the Waldenses, and that in 1225 Honorius III. ordered the destruction of the Periphyseos of Erigena, which was thought to have given rise to Amauri's speculations. The seed, however, was widely scattered, to bear fruit in foreign soil. The University of Paris drew together eager searchers after knowledge from every country in Europe, and it could not be difficult for the Amaurians to find among those from abroad converts who would prove useful missionaries. In 1215, Robert de Curzon includes the works of a certain Maurice the Spaniard in his condemnation of those of David and Amauri. Another disciple is said to have been Ortlieb of Strassburg, the teacher of the sectaries known by his name whose fate we have seen at Strassburg. That the heresy was known not to be extinguished

* Rigordus de Gest. Phil. Aug. ann. 1210.—Chron. Canon Laudunens. ann. 1212.—Chron. de Mailros ann. 1210.—Chron. Turonens. ann. 1210.—Cæsar. Heisterb. v. 22.—Chron. Breve S. Dionys. ann. 1209.—Grandes Chroniques, IV. 139.—Guillel. Brito (Bouquet XVII. 82 sqq.).—D'Argentré, Coll. Judic. I. i. 128-33.—Harduin. Concil. VI. ii. 1994.—Chron. Engelhusii (Leibnitz, S. Rer. Brunsv. II. 1113).

William the goldsmith, under the title of Gulielmus Aurifex, retains his place in the Index Librorum Prohibitorum to the present day (Migne, Dictionnaire des Hérésies, II. 1056). Cf. Reusch, Der Index der verbotenen Bücher, I. 17.

is shown by the fact that in 1215 the great Council of Lateran still deemed it necessary to utter a formal condemnation of the doctrines of Amauri, which it stigmatized as crazy rather than heretical.*

We know little of the faith originally professed by the Brethren of the Free Spirit, as the followers of Ortlieb called themselves. The principal account we have of their doctrines in the thirteenth century concerns itself much more with the results in denying the efficacy of sacerdotal observances than with the principles which led to those results; but there are indications of pantheism in the assertion of the eternity of the uncreated universe, in the promise of eternal life to all, while denying the resurrection of the flesh, and in the mystic representation of the Trinity by three members of the sect. No immorality is attributed to them; nay, the severest continence was prescribed by them, even in marriage; the only generation of children permitted was spiritual, through conversion, while homicide, lying, and oaths were strictly forbidden. It is quite probable that in Alsace the prevalence of Waldensianism and the sympathies born of common proscription may have considerably modified the opinions of the disciples of Ortlieb. They were by no means exterminated in the persecutions of 1212, and we hear of further pursuit against them in 1216, extending as far as Thurgau, in Switzerland. About the middle of the century they are described as prevailing in Suabia, especially in the neighborhood of Nördlingen and Oettingen, and Albertus Magnus thought them of sufficient importance to draw up an elaborate list of their errors.†

It was not long before another consequence, especially shocking to the faithful, was drawn from the fruitful premises of pantheism. If God was the essence of all creatures, Satan himself could not be excepted; if all were to be eventually reunited in God, Satan and his angels could not be condemned to eternal per-

* Steph. de Borbone (D'Argentré I. 1. 88). — Potthast No. 7348. — Pelayo, Heterodoxos Españoles, I. 410.—Concil. Lateran. IV. c. 2.

For the connection between the speculations of Erigena and those of Amauri see Poole's "Illustrations of the History of Medieval Thought," London, 1884, p. 77.

† Anon. Passaviens. c. 6 (Mag. Bib. Pat. XIII. 300–2). — Kaltner, pp. 64–5. —Haupt, Zeitschrift für Kirchengeschichte, 1885, p. 507.

dition. So infinite were the conclusions which flowed from the bold assumptions of the Amaurians, that those who accepted their views inevitably diverged in the applications, as they attributed greater or less importance to one series of propositions or another. There were some who took special interest in this theory as to Satan, and as their utterances were peculiarly exasperating to the orthodox, they were designated as a separate sect under the name of Luciferans. Of these we hear much but see little. Their doctrines were exaggerated into devil-worship, and they were included in the list of heretics to be periodically anathematized with a zeal which attributed to them vastly greater importance than their scanty numbers deserved. Probably this was because they were peculiarly well adapted to serve as a stimulus for a healthy popular abhorrence of heresy. The most extravagant and repulsive stories were circulated as to their hideous rites, which gradually took shape under the current superstitions as to witchcraft, which they aided to formulate and render concrete. At the period under consideration they formed the basis of the wildest and most ferocious epidemic of persecution that the world had yet seen.

The first indication we have of this tendency occurs in the case of Henry Minneke, Provost of the Cistercian nunnery of Neuwerke in Goslar, which is further of interest as showing how utterly, at the close of the first quarter of the thirteenth century, Germany was destitute of any inquisitorial machinery, and how ignorant were her prelates as yet of inquisitorial procedure. In 1222 Minneke was accused before his bishop, the fanatic Conrad von Reisenberg of Hildesheim, of certain heretical opinions. An assembly of prelates was held at Goslar, which took testimony of his nuns, and found him guilty. He was simply ordered to teach his doctrines no longer. When he disobeyed he was summoned before Bishop Conrad, who examined him for three days and sentenced him to return to his Premonstratensian monastery, and ordered the nuns to elect another provost. To this, again, he paid no attention, probably considering that his immunities as a monk exempted him from episcopal jurisdiction, and the bishop seems to have had no resource but to implore the intervention of Honorius III. When the pope ordered the sentence executed, the nuns interjected an appeal back to him and to the emperor. Both appeals were rejected; Minneke was declared a diseased member of the

Church, fit only to be cut off, and the nuns were told that they should rejoice in being liberated from his influence. Still he remained firm, and the bishop was obliged to consult the Cardinal-legate, Cinthio of Porto, before he ventured to throw the indomitable heretic into prison. From his jail, Minneke himself appealed to the pope, asserting that he had been condemned unheard, praying for an examination, and offering to submit to incarceration for life if he should refuse to recant any erroneous opinions of which he might be convicted. Honorius thereupon, in May, 1224, ordered Bishop Conrad to bring his prisoner before the legate and an assembly of prelates for a final hearing and judgment. About October 1, at Bardewick, Cinthio met an assembly of the bishops of North Germany, where it was decided that Minneke was convicted of having encouraged the nuns to regard him as greater than any other born of woman; he had on many points relaxed the severe Cistercian discipline; in his sermons he had declared that the Holy Ghost was the Father of the Son, and had so exalted the state of virginity as to represent marriage as a sin; in a vision he had seen Satan praying to be forgiven, and he had asserted that in heaven there was a woman greater than the Virgin, whose name was Wisdom. Still another synod, held at Hildesheim, October 22, was requisite to conclude the matter. Minneke was brought before it, was convicted of his errors, and degraded from the priesthood, but even yet Bishop Conrad was so little sure of his authority that the sentence was published under the seal of the legate. The culprit was handed over to the secular authorities, and was duly burned in 1225. The prominence accorded to this assertion, that Satan desired forgiveness, is shown by his being stigmatized as a Manichæan and a Luciferan.*

This case has a further interest for us, inasmuch as one of the participators in the final judgment was a man who filled all Germany with his fame, and who was the most perfect embodiment of the pure fanaticism of his time—Conrad of Marburg. Though a secular priest and holding himself aloof from both Mendicant Orders,† Conrad steeped himself in the severest poverty and gained

* Kaltner, pp. 90–5.—Hartzheim Concil. German. III. 515–16.—Potthast No. 7260.—Chron. Mont. Sereni ann. 1222 (Menken. Scriptt. Rer. Germ. II. 265).—Chron. Sanpetrin. Erfurt. ann. 1222 (Ib. III. 250).

† Conrad of Marburg was too shining a light not to be earnestly and per-

his bread by beggary. Though he could have aspired to any dignity in the Church, which reverenced him as its greatest apostle, and though for years all the benefices of Thuringia were placed by the Landgrave Louis at his absolute disposal, he never accepted a single preferment. Devoted solely to the work of the Lord, his fiery soul and unrelaxing energies were directed with absolute singleness of purpose to advancing the kingdom of heaven upon earth, according to the light which was in him.*

Stern in temper and narrow in mind, his bigotry was ardent to the pitch of insanity. What were his conceptions of the duty of man to his Creator and how his conscience led him to abuse unlimited authority can best be judged by his course as spiritual director of St. Elizabeth of Thuringia. The daughter of Andreas of Hungary, born in 1207, married in 1221, at the age of thirteen, to Louis of Thuringia, one of the most powerful of German princes, a mother at fourteen, a widow at twenty, and dying of self-inflicted

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sistently claimed by the Dominicans as an ornament of their Order. Their legend relates that he was miraculously drawn into it in 1220 by St. Dominic himself, who earnestly desired him as a colleague, and who promptly sent him to Germany with a commission as inquisitor (Monteiro, Historia da Sacra Inquisição, P. I. Liv. i. c. 48.—Jac. de Voragine Legend. Aur. fol. 90*a*, Ed. 1480.—Paramo, pp. 248-9), and Ripoll assumes it as a matter of course, though he failed to furnish us with the promised dissertation to prove it (Bull. Domin. I. 20, 52). See also Kaltner, pp. 76–82. The claim is based upon his inquisitorial activity, his voluntary poverty, and the title of *prædicator*, which he bore in virtue of a papal commission—arguments flimsy enough, but better than that of his latest champion, Hausrath, who cites an expression in a letter of Gregory IX. characterizing Conrad as the watch-dog of the Lord—"*Dominicus canis*" (Hoffman, Geschichte d. Inq. II. 392). Of course a negative, such as the present, can only be proved by negatives, but these are sufficient. In numerous letters to him from Honorius III. and Gregory IX. he is never addressed as "*Frater*," the term invariably used by the Mendicants. The superscription always is "*Magistro Conrado de Marburc, prædicatori Verbi Dei,* or the equivalent—Conrad being presumably a master in theology (Epistt. Sæc. XIII. T. I. No. 51, 117, 118, 126, 361, 362, 484, 533, 537). Similarly in the chronicles of the time he is never spoken of as "*Frater*," but always as "*Magister Conradus.*" Besides, Theodoric of Thuringia, himself a Dominican, and almost a contemporary, in his life of St. Elizabeth describes Conrad in the most exalted terms, without claiming him for his Order, which he could not have avoided doing had there been ground for it (Canisii Thesaur. I. 116).

* Theod. Thuring. de S. Eliz. Lib. III. c. 10 (Canisii Thesaur. I. 130).—Potthast No. 7930.—Epistt. Sæc. XIII. T. I. No. 361.

austerities in her twenty-fourth year, Elizabeth was the rarest type of womanly gentleness and self-abnegation, of all Christian virtues and spiritual aspirations. When but eighteen years of age she placed herself under Conrad's direction, and he proceeded to discipline this heavenly spirit with a ferocity worthy of a demon. Such implicit obedience did he exact that on one occasion when he had sent for her to hear him preach, and she was unable to do so on account of an unexpected visit from her sister-in-law, the Margravine of Misnia, he angrily declared that he would leave her. She went to him the next day and entreated for pardon; on his continuing obdurate, she and her maidens, whom he blamed for the matter, cast themselves at his feet, when he caused them all to be stripped to their shifts and soundly scourged. It is no wonder that he inspired her with such terror that she was wont to say "If I so much dread a mortal man, how is God to be rightly dreaded?" After the death of Louis, whom she tenderly loved, and when his brother Henry despoiled her and drove her out, penniless, with her children, she submitted with patient resignation and earned her living by beggary; and when he was forced to compound for her dower-rights with money, she made haste to distribute it in charity. Under the influence of the diseased pietism inculcated by Conrad, she abandoned her children to God and devoted herself to succoring casual outcasts and lepers; and the depth of her humility was shown when scandal made busy with her fame in consequence of her relations with Conrad. On being warned of this and counselled to greater prudence, she brought forth the bloody scourge which she used, and said, "This is the love the holy man bears to me. I thank God, who has deigned to accept this final oblation from me. I have sacrificed everything —station, wealth, beauty—and have made myself a beggar, intending only to preserve the adornment of womanly modesty; if God chooses to take this also, I hold it to be a special grace." It was this spirit, so self-abased and humble, that Conrad's brutal fanaticism sought systematically to break, contradicting her of set purpose in all things, and demanding of her every possible sacrifice. Merely to add to her afflictions he drove away, one by one, the faithful serving-women who idolized her, finally expelling Guda, who had been her loved companion since infancy in Hungary; as they themselves said, "He did this with a good intention, because he

feared our influence in recalling her past splendors, and he wished to deprive her of all human comfort that she might rely wholly on God." When she disobeyed his orders he used to beat her and strike her, which she endured with pleasure, in memory of the blows inflicted on Christ. Once he sent for her to come to him at Oldenburg to determine whether he would put her into an extremely rigid convent there. The nuns asked him to let her visit them, and he gave her permission, expecting that she would decline in view of the excommunication hanging over all intruders on the sacred precincts. Supposing, however, that she had leave, she went, while her woman Irmengard stood outside, received the key, and opened the door. For this Conrad made them both lie down, and ordered his faithful comrade, Friar Gerhard, to beat them with a heavy rod, so that they bore the marks of the flogging for weeks. Well might, in the next century, the mysterious Friend of God in the Oberland, when speaking of St. Elizabeth, remark that she had abandoned herself, in place of to God, to a man far inferior to herself in natural aptitudes as well as in the gifts of divine grace.*

The significance of all this lies not only in the coarse violence of Conrad's methods, which regarded torture, mental and physical, as the most efficient aid to salvation, but also in the arrogance of the nature which could, without a shadow of hesitation, assume the position of an avenging God punishing humanity for its weakness and sin. When a man of such a temper was inflamed with the most fiery fanaticism, was armed with irresponsible power, and believed himself to be engaged in a direct conflict with Satan, his mad enthusiasm could lead only to a catastrophe. For the evil which he wrought it would be unjust to hold him responsible. The crime lay with those who could coolly select such an instrument, work up his crazy zeal to the highest pitch, and then let him loose to wreak his blind wrath upon defenceless populations.

Conrad had long been a man of mark, and his qualities were well known to those who made use of him. His burning eloquence was adapted to move the passions of the people, and as early as 1214 he had been honored with a commission to preach in Ger-

* Kaltner, pp. 96, 121.—De Dictis IV. Ancillarum (Menken. Scriptt. Rer. Germ. II. 2017, 2023, 2029).—Theodor. Vit. S. Eliz. (Ib. 2000-1).—Jundt, Les Amis de Dieu, p. 95.

many the crusade which was one of the objects for which the great Council of Lateran was assembled. From this time on his activity was unabated, and there is probably truth in the assertion that he took part in the occasional persecutions of heresy which are reported, though no details have reached us. His mission as preacher brought him into direct relations with Rome, and his success in inducing thousands to take the cross gave him high repute with the curia, doubtless enhanced by the disinterestedness which asked for no reward. He gradually came to be employed as a representative in matters of importance, and his unwearied energy rendered him increasingly useful. In 1220 he was intrusted with the duty of compelling, by the censures of the Church, the Emperor Frederic to fulfil his long-delayed vow of leading an expedition to the Holy Land, and he was further made chief of the business of preaching in its behalf, by being empowered to commission assistants throughout Germany. In these letters he is addressed as "*Scholasticus*" or head of the church schools in Mainz, showing that he then held that dignity. In 1227 still greater evidence was given of the confidence reposed in him. In March of that year Gregory XI. had mounted the papal throne with full resolve to crush the rising powers of heresy, and, if possible, to deprive it of its excuse for existence in the corruptions of the church establishment. We have seen how, on June 20, 1227, he tried the experiment in Florence of creating a kind of inquisition, with a Dominican to exercise its functions. In Germany there seems to have been no one but Conrad on whom to rely. June 12, eight days before the commission issued to Giovanni di Salerno, Gregory wrote to Conrad commending highly the diligence with which he was tracking and pursuing heretics—a diligence of which, unfortunately, all details are lost to us. In order that his labors might be more efficacious, Conrad was directed and empowered to nominate whomsoever he might see fit as his assistants, and with them to inquire energetically after all who were infected with heresy, so that the extirpation of the tares from the fields of the Lord might proceed with due authority. Though the Inquisition was scarce as yet even a prospective conception, this was in effect an informal commission as inquisitor-general for Germany, and it is probably no injustice to Gregory to suggest that one of the motives prompting it was the desire to substitute papal authority for the episcopal

jurisdiction under which the local and spasmodic persecutions had hitherto been carried on.*

Eight days later, on June 20, another commission was sent to Conrad, which increased enormously his power and influence. The German Church was as corrupt and depraved as its neighbors, and all efforts to purify it had thus far proved failures. In 1225 the Cardinal-legate Cinthio had assembled a great national council at Mainz, which had solemnly adopted an elaborate series of searching canons of reformation, that proved as bootless as all similar efforts before or since. Something more was wanted, and the sternly implacable virtue of Conrad seemed to point him out as the fitting instrument for burning out the incurable cancer which was consuming the vitals of the German Church. Gregory, whose residence beyond the Alps as legate had rendered him familiar with its condition, describes its priesthood as abandoned to lasciviousness, gluttony, and all manner of filthy living, like cattle putrescing in their own dung; as committing habitually wickedness which laymen would abhor, corrupting the people by their evil example, and causing the name of the Lord to be blasphemed. To remedy these deplorable evils, he now commissioned Conrad as reformer, with full powers to enforce the regulations of the cardinal-legate, and the monasteries were especially designated as objects for his regenerating hand.†

Armed with almost illimitable powers, Conrad was now the foremost German ecclesiastic of the time, and we may well understand the admiration of Theodoric of Thuringia, who declares that he shone like a star throughout all Germany. Yet at this time his ill-balanced impulsiveness was concentrating his energies on the torturing of St. Elizabeth. There is no trace of his exercising his inquisitorial functions, and the only record of his activity as a reformer is his reorganizing the nunnery of Nordhausen by the simple expedient of expelling the nuns, who all led ungodly lives. Yet his services as a persecutor never were more needed. The excommunication of the Emperor Frederic, on September 29 of the same year, for temporarily abandoning his crusade, had set

* Trithem. Chron. Hirsaug. ann. 1214.—Chron. Sanpetrin. Erfurtens. (Menken. III. 242).—Kaltner, pp. 86–7.—Epistt. Sæcul. XIII. T. I. No. 117, 118, 126, 362.

† Hartzheim III. 521. Cf. Concil. Frizlar. ann. 1246, ib. p. 574.—Ripoll I. 21.

Church and State fairly by the ears, and had inspired the heretics with fresh hopes. Everywhere their missionary activity redoubled, and the land was said to be full of them. In each diocese they had a bishop to whom they gave the name of the regular incumbent, and they pretended to have a pope whom they called Gregory, so that, under examination, they could swear that they held the faith of the bishop and of Pope Gregory. In 1229 the Waldenses were again discovered in Strassburg, and for several years persecution continued there, resulting in burning many obstinate heretics and penancing those who yielded.*

Local measures such as these were manifestly insufficient, and thus far all efforts at a comprehensive system of persecution had failed. In 1231 Gregory was busily occupied in organizing some more efficient method, and Germany was not forgotten. The Roman statutes of Annibaldo and the papal edicts of that year, to which frequent allusion has been made above, were sent to the Teutonic prelates, June 20, with letters blaming them for their lukewarmness and lenity, and ordering them to put vigorously into force the new edicts. Yet already there had been sufficient persecution to occasion the necessity of settling the novel questions arising from the confiscations, and the Diet of Worms, on June 2 of the same year, had decided that the allodial lands and the movables should go to the heirs, the fiefs to the lord, and in case of serfs the personalty to the master, thus excluding the Church and the persecutors from any share. Under Gregory's earnest impulsion the sluggishness of the bishops was somewhat stimulated. The Archbishop of Trèves made a perquisition through his city, and found three schools of heretics in full activity. He called a synod for the trial of those who were captured, and had the satisfaction of burning three men, and a woman named Leuchardis, who had borne the reputation of exceeding holiness, but who was found, upon examination, to belong to the dreaded sect of Luciferans, deploring the fall of Satan as unjustly banished from heaven.†

* Vit. S. Eliz. (Canisii Thesaur. I. 116).—Johann Rohte, Chron. Thuring. (Menken. II. 1715).—Kaltner, pp. 108, 130–33.—Gesta Treviror. Episcopp. c. 172.—Trithem. Chron. Hirsaug. ann. 1230.

† Hartzheim III. 539, 540.—Potthast No. 8073–4.—Hist. Diplom. Frid. II. T. III. p. 466.—Gest. Treviror. Archiepp. c. 170, 172.

Still the results did not correspond to Gregory's desires. In October of the same year (1231) he sought to spur Conrad on to a discharge of his duty by praising in the most exalted terms his activity and success in exterminating heretics, and by exhorting him, with the same wealth of exaggeration, to redoubled energy. The need of earnest work was more pressing than ever. The Archbishops of Trèves and Mainz had reported that an apostle of heresy had been sowing tares through all the land, so that not only the cities, but the towns and hamlets, were infected. Many heresiarchs, moreover, each in his own appointed district, were laboring to overthrow the Church. Conrad was therefore given full discretionary powers; he was not even required to hear the cases, but only to pronounce judgment, which was to be final and without appeal—justice to those suspect of heresy being, apparently, of no moment. He was authorized to command the aid of the secular arm, to excommunicate protectors of heresy, and to lay interdict on whole districts. The recent decrees of the Holy See were referred to as his guide, and heretics who would abjure were to have the benefit of absolution, care being taken that they should have no further opportunity of mischief — a delicate expression for condemning them to lifelong incarceration. When Conrad received these extensive powers he was so dangerously ill that his life was despaired of, and before he had fairly recovered St. Elizabeth died, November 29, 1231. Harsh as was his nature, her loss affected him severely, and for a considerable time his energies were concentrated on fruitless efforts for her canonization. In intervals of leisure, however, he exercised his powers on such heretics as were unlucky enough to be within easy reach. In Marburg itself many suspects were seized, including knights, priests, and persons of condition, of whom some recanted and the rest were burned. On one excursion to Erfurt, moreover, in 1232, he took the opportunity to burn four more victims.*

Results so far below what might reasonably have been expected could not but be disappointing in the extreme to Gregory.

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* Kaltner, pp. 135-6, 143.—Theod. Vit. S. Eliz. VIII. 1.—Vit. rythmic. S. Eliz. (Menken. II. 2090).—Thür. Fortsetzung d. Sächs. Weltchronik (Pertz, Scriptt. Vernac. II. 292).—Trithem. Chron. Hirsaug. ann. 1232.—Erphurdian. Variloq. (Menken. II. 484).

One expedient remained—to try whether among the Dominicans there might not be found men able and willing to devote themselves fearlessly and exclusively to the holy work. Between the end of 1231 and that of 1232, therefore, commissions were sent to various Dominican establishments empowering their officials to undertake the work. The treaty of Ceperano, in 1230, had restored peace between the empire and the papacy, and Frederic's aid was successfully invoked to give the imperial sanction to the new experiment. From Ravenna, in March, 1232, he issued a constitution addressed to all the prelates and potentates of the empire, ordering their efficient co-operation in the extirpation of heresy, and taking under the special imperial protection all the Mendicants deputed by the pope for that purpose. The secular authorities were commanded to arrest all who should be designated to them by the inquisitors, to hold them safely until condemnation, and to put to a dreadful death those convicted of heresy or fautorship, or to imprison for life such as should recant and abjure. Relapse was punishable with the death-penalty, and descendants to the second generation were declared incapable of holding fiefs or public office.*

Here were laws provided and ministers for their enforcement, and the business of vindicating the faith might at last be expected to prosper. If Conrad was remiss, others would be found enthusiastically ready for the work. So it proved. Suddenly there appeared on the scene a Dominican named Conrad Tors, said to be a convert from heresy, who, without special commission, commenced to clear the land of error. He carried with him a layman named John, one-eyed and one-handed, of thoroughly disreputable character, who boasted that he could recognize a heretic at sight. Apparently with little more evidence than this, Conrad Tors raided from town to town, condemning his victims wholesale, and those whom he delivered to the magistrates they were compelled by popular excitement to burn. Soon, however, a revulsion of feeling took place, and then the Dominican shrewdly enlisted the support of the nobles by directing his attacks against the more wealthy, and holding out the prospect of extensive confiscations to be divided. When remonstrated with he is

* Kaltner, p. 134.—Hist. Diplom. Frid. II. T. IV. pp. 300–2.

said to have replied, "I would burn a hundred innocent if there was one guilty among them." Stimulated by this shining example, many Dominicans and Franciscans joined him, and became his eager assistants in the work.*

Whether, as reported, Conrad Tors, to strengthen himself, sought out Conrad of Marburg and persuaded him to take part in the good work, or whether the latter, scenting the battle from afar, was aroused from his torpor and rushed eagerly to the fray, cannot positively be determined. This much is certain, that at length he came forward, and not only lent the weight of his great name to the proceedings, but urged them to a crueller and wider development with all his vehemence of character and implacable severity.

The heresy of which the miserable victims of this onslaught were accused was not Waldensian, but Luciferan. Its hideous rites were described in full detail by Master Conrad to Pope Gregory, and are worth repeating as illustrating the superstitions concerning witchcraft which, for centuries, worked such cruel wrong in every corner of Europe. Indeed, it seemed inevitable that such embroideries should be added by inquisitorial craft or popular credulity to the tenets of heretics, for, on the first emergence of Catharism at Orleans in 1022, very similar stories were told of the infernal rites of the heretics, which are repeated by Walter Mapes in the latter half of the twelfth century.† That Conrad obtained these wild fictions in endless duplication from those who stood before his judgment-seat there need be no reasonable doubt. The reports of witch-trials in later times are too numerous and authentic for us to question the readiness of self-accusation of those who saw no other means of escape, or their eagerness to propitiate their judge by responding to every incriminating suggestion, and telling him what they found him desirous of hearing. Crude as were Conrad's methods, the inquisitorial process proved its universal effectiveness by their producing confessions as surely as the more elaborate refinements invented by his successors, although he had not the advantage of the use of torture.

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* Annal. Wormatiens. (Hist. Diplom. Frid. II. T. IV. p. 616).—Kaltner, p. 138.—Sächsiche Weltchronik ann. 1232.—Gest. Treviror. Archiepp. c. 170.

† Pauli Carnotens. Vet. Aganon. Lib. VI. c. 3.—Adhemar. Cabannens. ann. 1022 (Bouquet, X. 159).—Gualteri Mapes de Nugis Curialium Dist. I. c. XXX.

According to these revelations, when a novice is received into the sect and first attends the assembly, there appears to him a toad, which he kisses either on the posteriors or on the mouth; in the latter case it deposits something in his mouth. Occasionally it has the aspect of a goose or of a duck, and sometimes it is as large as an oven. Then there comes to him a man of wonderful paleness, with the blackest of eyes, and so thin that he is naught but skin and bone. Him the novice likewise kisses, finding him ice-cold, and with that kiss all remembrance of the Catholic faith vanishes from his heart. Then all sit down to a feast, after which, from a statue which is always present, there descends a black cat, as large as a dog, with the tail bent back. She comes down backwards and her posteriors are kissed, first by the novice, then by the master of the assembly, and finally by all who are worthy and perfect, while those who are imperfect and feel themselves unworthy receive peace from the master. Then each resumes his place, songs are sung, and the master says to his next neighbor, "What does this teach?" The answer is, "The highest peace," and another adds, "And that we must obey." All lights are then extinguished and indiscriminate intercourse takes place, after which the candles are relighted, each one takes his seat, and from a dark corner appears a man shining like the sun in his upper half, while from the hips down he is black like the cat. He illuminates the whole place, and the master, taking a fragment of the novice's garment, hands it to him, saying, "Master, I give this to thee which has been given to me." To this the shining man replies, "Thou hast served me well, thou wilt serve me more and better. I leave to thy care what thou hast given me," and then he disappears. Each year at Easter they receive the host, carry it home in their mouths, and spit it out into a cesspool to show their contempt for the Redeemer. They hold that God unjustly and treacherously cast Satan into hell; the latter is the Creator, who in the end will overcome God, when they expect eternal bliss with him. That which is pleasing to God is to be avoided, and that which he hates is to be cherished.

This transparent tissue of inventions was apparently doubted by no one, and it excited almost to insanity the credulous old man who filled the papal chair. He replies that he is drunk with wormwood, and in fact his letters read like the ravings of a madman.

"If against such men the earth should rise up, and the stars of heaven reveal their iniquity, so that not only men, but the elements, should unite in their destruction, wiping them from the face of the earth without sparing sex or age, and rendering them an eternal opprobrium for the nations, it would not be a sufficient and worthy punishment of their crimes." If they cannot be converted, the strongest remedies must be used. Fire and steel must be applied to wounds incurable by milder applications. Conrad was instructed forthwith to preach a crusade against them, and the bishop of the province, the emperor, and his son, King Henry, were ordered to exert all their powers for the extirpation of the wretches.*

The means which Master Conrad took to obtain these avowals from his victims were simple in the extreme. The processes of the Inquisition had not yet been formulated, and the unlimited powers with which he was clothed enabled his impatient temper to reach the desired goal by the shortest possible course. As officially reported, after the bursting of the bubble, to Gregory by his own penitentiary, the Dominican Bernard, and the Archbishop of Mainz, the accused was allowed simply the option of confessing what was demanded of him, and receiving penance, or of being burned for denial—which, in fact, was the essence of the inquisitorial process, reduced to its simplest terms. Conrad had no prisons at his disposal for the incarceration of penitents, and the infliction of wearing crosses seems to have been unknown to him, so he devised the penance of shaving the head as a mark of humiliation for his converts, who were moreover, of course, obliged to give the names of all whom they had seen in the hideous nocturnal assemblies.

At the outset he had fallen into the hands of a designing woman, a vagrant about twenty years old who had quarrelled with her relations, and who, coming by chance to Bingen, and observing what was going on, saw her opportunity of revenge. She pretended to be of the sect, that her husband had been burned, that she wished to perish likewise, but added that if the Master would believe her she would reveal the names of the guilty. Con-

* Raynald. ann. 1233, No. 41–6.—Epistt. Sæcul. XIII. T. I. No. 533, 537.—Gest. Treviror. Archiepp. c. 171.

rad eagerly swallowed the bait, and sent her with his assistants to Clavelt, whence she came, where she caused the burning of her kindred. Then there was a certain Amfrid, who finally confessed that he had led Conrad to condemn a number of innocent men. Creatures of this kind were sure not to be lacking, and it was even said that cunning heretics caused themselves to be accused, and accepted penance, for the purpose of incriminating Catholics, and thus rendering the whole proceeding odious. As no one had the slightest opportunity of defence, some steadfast men preferred to be burned and thus earn salvation, rather than to confess to lies and falsely accuse others. The weaker ones who saved their lives, when pressed to name their accomplices, would often say, "I know not whom to accuse: tell me the names of those you suspect;" or, when interrogated about individuals, would evasively reply, "They were as I was; they were in the assemblies as I was," which was apparently sufficient. "Thus," proceeds the official report to the pope, "brother accused brother, the wife the husband, and the master the servant. Others gave money to the shaven penitents in order to learn from them methods of evasion and escape, and there arose a confusion unknown for ages. I, the archbishop, first by myself and afterwards with the two archbishops of Trèves and Cologne, warned Master Conrad to proceed in so great a matter with more moderation and discretion, but he refused." *

* Alberic Trium Font. ann. 1234.—Godefrid S. Pantaleon. annal. ann. 1233. It would seem from this that Henry, Archbishop of Cologne, was performing his functions at this period, although he had been suspended by Gregory IX. in December, 1231, pending an investigation into his criminal turpitude, which the pope declared to be a shame to describe and a horror to hear. In April, 1233, Gregory tried to make him resign, to which he responded in June by an appeal to the Holy See. The immediate consequence of this was a papal levy on the clergy of Cologne of three hundred sterling marks to defray expenses. In March of the next year further provision for the expenses was requisite. In April, 1235, we find him still under excommunication and deprived of his functions. After this he seems to have re-established himself, and in March, 1238, he was condemned to pay thirteen hundred sterling marks to a Roman banker for expenses incurred many years before by his predecessor. In May, 1239, we find his successor, Conrad von Hochstaden, in Rome as archbishop-elect, and Gregory ordering a levy of eight thousand marks on the province to pay the debts due there by the sec (Epistt. Select. Sæcul. XIII. T. I. No. 457, 472, 523, 529–30, 555, 579, 637, 723, 748).

From this last fact we gather that the prelates of the land, while not interfering effectively to protect their people, had, at least, taken no part in the insane persecution which was raging. Conrad had found plenty of assistants among the Dominicans and Franciscans, but the secular hierarchy had held aloof. In vain had Gregory, in October, 1232, written to them and to the princes, telling them that the heretics who formerly lay in hiding were now coming forward openly, like war-horses harnessed for battle, publicly preaching their errors and seeking the perdition of the simple and ignorant. Faith was rare in Germany, he said, and, therefore, he ordered them to make vigorous inquisition throughout their lands, seizing all heretics and suspects, and proceeding against them in accordance with the papal decrees of 1231. The appeal fell upon deaf ears. The bishops seem to have been thoroughly disturbed by the encroachments which the papacy was making on their independence through the new agencies which it was bringing into play. The Mendicant Orders were already a sufficiently dangerous factor, and now came these new inquisitors, armed with papal commissions, superseding their time-honored jurisdiction in every spot within their dioceses. It is no wonder that they felt alarmed, and that they held aloof. The German prelates were great secular princes, combining civil and spiritual authority. The three electoral archbishops—Mainz, Trèves, and Cologne—stood on a level as temporal lords with the most powerful princes of the empire, and the wide extent of many of the dioceses rendered the bishops scarcely less formidable. They were always suffering from the greed of the Roman curia, and were perpetually involved in struggles to resist its encroachments. Frederic II., indeed, by his constitutions of 1232, had increased their secular authority by rendering them absolute masters of the episcopal cities, whose municipal rights and liberties he abolished, but at the same time he had given, as we have seen, the imperial sanction to the papal Inquisition, and had rendered it everywhere supreme. It is no wonder that they felt aggrieved and alarmed, that they withheld their co-operation as far as they

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This serves to illustrate the relations between the Roman curia and the great German bishoprics, the insatiable greed of the former, and the fruitless efforts at emancipation of the latter.

safely could, and that well-grounded jealousy would lead them to seize the first safe opportunity of crushing the intruding upstarts.*

Fortunately for the German people, Conrad's blind recklessness was not long in affording them the desired chance. Beginning with the lowly and helpless, his operations had rapidly advanced to the higher classes. In his eyes the meanest peasant and the loftiest noble were on an equality, and he was as prompt to assail the one as the other, but his witnesses at first had not dared to accuse the high-born and powerful. It is quite possible, indeed, that, as the persecution became more dreadful, some of them may have felt that the surest mode of bringing on a crisis was to involve the magnates of the land. Rumors were spread impugning the faith of the Counts of Aneberg, Lotz, and Sayn. Conrad eagerly directed his interrogatories to obtaining evidence against them, and summoned them to appear before him. Count Sayn was an especially notable prey, as he was one of the most powerful nobles of the diocese, whose extensive possessions were guarded by castles renowned for strength, and whose reputation was that of a stern and cruel man. The crime of which he was accused was that of riding on a crab, and open defiance was expected from him. Sigfried, the Archbishop of Mainz, to make a show of obedience to the papal commands, had called a provincial council to assemble March 13, 1233. When it met, it deplored the prevalence of heresy, from which scarce a village in the land was free; it prayed the prelates to labor zealously for the suppression of the evil, commanded them to enforce in their respective dioceses the recent decrees of the pope and of the emperor, which were to be read and explained in the local synods, so that the heretics might be frightened to conversion; it deprecated the practice of seizing the property of suspects before their guilt was determined; it ordered the bishops to provide prisons for coiners and incorrigible clerks, without alluding to the imprisonment of heretics, although Gregory, but a few weeks before, had specially ordered them to employ perpetual incarceration in all cases of relapse; it endeavored to maintain episcopal jurisdiction by enacting that inquisitors must obtain letters from the bishop before

* Hist. Diplom. Frid. II. T. IV. pp. 285–7, 300–2.

exercising their powers in any diocese; finally, it anticipated the resistance of Count Sayn and the other inculpated nobles, by directing that if any magnate, relying upon the strength of his castles and the support of his subjects, should refuse to appear after three citations, his bishop should preach a crusade against him with indulgences, and he should be manfully assailed.*

Thus, while ostensibly obeying the commands of the pope and emperor, the action of the bishops was practically directed to limiting the powers of the inquisitors. As for the threat of a crusade, its significance is seen in the steps actually taken in the case of Count Sayn. That shrewd noble saw that he could rely upon episcopal protection if he could promise the bishops efficient support, and he had sufficient interest with King Henry to induce him to join with Sigfried of Mainz in calling a council for July 25, to consider his case. The king and his princes attended the assembly as well as the prelates, so that it was rather an imperial diet than an ecclesiastical council. The count asserted his innocence and offered to prove it by conjurators. Conrad, who was present, found his position suddenly changed. The assembly was, in reality, a national protest against the supremacy of the papal Inquisition, and the inquisitor, in place of being a judge armed with absolute jurisdiction, was merely a prosecutor. He presented his witnesses, but in that august presence the hearts of some of them failed, and they withdrew; others felt emboldened to declare that they had been forced to accuse the count in order to save their own lives, and those who persisted were easily shown to be personal enemies of the accused. The whole assemblage seemed inspired with a common desire to put an end to Conrad's arbitrary proceedings, and the prosecution broke down totally. King Henry alone, perhaps already meditating his rebellion against his father, and anxious not to offend either the nobles or the papacy, desired to postpone the matter for further consideration. The count pressed earnestly for immediate judgment, but the Archbishop of Trèves interposed—"My lord, the king wishes the case postponed;" then turning to the people, "I announce to you that Count Sayn departs from here unconvicted, and as a good Catho-

* Annal. Wormatiens. (Hist. Dip. Frid. II. T. IV. pp. 616-17).—Kaltner, pp. 19, 146-8.—Epistt. Select. Sæc. XIII. No. 514.

lic." Master Conrad sullenly muttered, "If he had been convicted it would have been different," and withdrew. The count finally agreed to allow the matter to be referred to Rome, and ecclesiastics of distinction were appointed to lay the proceedings before the Holy See for final decision.*

Maddened by his defeat, Conrad at once proceeded to preach in the streets of Mainz a crusade against some nobles who had been summoned and who had not appeared. To this both the archbishop and the king objected, and he was forced to desist. With his usual impulsiveness he then abruptly determined to quit an ungrateful world, and to live henceforth in retirement at Marburg. The king and archbishop offered him an armed escort, but he would accept nothing save letters of surety, and with these he departed to meet his fate. Those against whom his crusade had been preached lay in wait for him near Marburg and despatched him, July 31, regardless of his entreaties for mercy. His faithful follower, Friar Gerhard, refused the opportunity offered him to escape, threw himself on the body of his beloved master, and perished with him. The scene of the murder is supposed to be Kappeln on the Lahnsberg, where a chapel was erected to commemorate it. The body was carried to Marburg and buried by the side of St. Elizabeth, and when the latter was translated to the magnificent Elizabethskirche, his bones were likewise carried thither.†

The immediate reputation which Conrad left behind him is shown by the vision, related by a contemporary, which indicated that he was hopelessly damned. Modern ecclesiastics, however, take a more favorable view of his career, and even the amiable Alban Butler describes him as a virtuous and enlightened priest, who rendered great service by his preaching, and whose fervor, disinterestedness, and love of poverty and austerity rendered him a model for his contemporaries. Yet, unaccountably, the Church has not yet proceeded to his vindication as a martyred saint, and

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* Gest. Treviror. Archiepp. c. 174. — Sächsische Weltchronik, ann. 1233 (Pertz, II. 292).—Annal. Wormatiens. (loc. cit.).—Godefrid. S. Pantaleon. Annal. ann. 1233.

† Sächsische Weltchronik, loc. cit.—Gest. Treviror. loc. cit.—Alberic. Trium Font. ann. 1233.—Erphurdian. Variloq. ann. 1233.—Chron. Erfordiens. ann. 1233 (Schannat Vindem. Literar. I. 93).—Trithem. Chron. Hirsaug. ann. 1233.—Kaltner, pp. 160–1.

has neglected to place him alongside of those kindred spirits, St. Peter Martyr and St. Pedro Arbues.*

With Conrad's withdrawal from the Council of Mainz the proceedings of which he had been the mainspring came to an end at once. "Thus," says a contemporary ecclesiastic, "ceased this storm, the most dangerous persecution of the faithful since the days of Constantius the Heretic and Julian the Apostate. People once more began to breathe. Count Sayn was a wall for the mansion of the Lord, lest this madness should rage further, enveloping guilty and innocent alike, bishops and princes, religious and Catholics, like peasants and heretics." The murderers evidently felt that they had nothing to dread from public opinion, for they voluntarily came forward and offered to submit themselves to the judgment of the Church as regards the heresy whereof Conrad had accused them, and to the secular tribunals as regards the homicide, agreeing to present themselves for examination at a diet of the empire which was ordered for February, 1234, at Frankfort.†

Gregory, who in June had been ordering a crusade preached against the heretics, and had been stimulating prince and prelate to a yet more ferocious persecution, was moved to regret when the envoy of the assembly of Mainz, Conrad, the "Scholasticus" of Speier, presented letters from the king and bishops describing the arbitrary methods of his inquisitor. He ordered letters drawn up prescribing a more regular form of trial for heretics; but before the envoy had permission to depart, there arrived the originator of the trouble, Conrad Tors, with the pitiful tale of the Master's martyrdom. At this news the emotional pope could not contain his wrath. The letters just written were recalled and torn up, and the unlucky envoy was threatened with the deprivation of all his benefices. Under the remonstrances of the Sacred College, however, Gregory's ire subsided sufficiently to allow him to renew the letters and to enable the envoy to depart unscathed. The pope solaced himself, however, with pouring out his grief at full length in letters to the German prelates. The death of Conrad was a thunderclap which had shaken the walls of the Chris-

* Alberic. Trium Font. ann. 1233.—Alban Butler, Vies des Saints, 19 Novbre.

† Gest. Treviror. c. 174.—Hartzheim III. 549.

tian sanctuary. No words were strong enough to describe the transcendant merits and services of the martyr, and no punishment could be invented too severe for the murderers. The bishops were roundly rated for their indifference in the matter, and were ordered to take immediate and effective measures. The Dominican provincial, Conrad, was commanded, in conjunction with the bishops, to carry on the Inquisition vigorously, and to preach a crusade against the heretics.*

In spite of this furious grief and wrath the German prelates maintained a most provoking calmness. The fanatic Conrad, Bishop of Hildesheim, it is true, preached a crusade as ordered by the pope, and under his impulsion the Landgrave, Conrad of Thuringia, zealously purged his land of heretics, and completely destroyed all their assemblies, levelling to the ground Willnsdorf, which was reckoned their chief abiding-place; while his brother, Henry Raspe, and Hartmann, Count of Kiburg (Zurich), took the cross under the same auspices, and received, in consequence, papal protection for their dominions. Even this measure of activity, however, was regarded unfavorably in Germany, and there was no response to the cry for vengeance. The Diet of Frankfort duly assembled February 2, 1234, and the first business recorded was an accusation brought by King Henry himself against the Bishop of Hildesheim for having preached the crusade; it was treated as an offence, and though he was pardoned by unanimous request, the recalcitrance against the papal tendencies was none the less significant. Then the memory of the martyred Conrad was arraigned, and this, as a matter of faith, was discussed by the ecclesiastics separately. There were twenty-five archbishops and bishops present, who were almost unanimous in condemning him, while the Bishop of Hildesheim and a Dominican named Otto strenuously defended him. One of the prelates exclaimed that Master Conrad ought to be dug up and burned as a heretic; but no conclusion seems to have been reached, for the proceedings were interrupted by the introduction of a procession of those whom he had shaved in penance the preceding year, who marched in with a cross at their head, and complained of his cruelty with dolorous

* Epistt. Select. Sæcul. XIII. T. I. No. 533, 537, 558, 560–1. — Chron. Erfordiens. ann. 1234 (Schannat Vindem. Literar. I. 94).

cries, when a tumult arose from which his defenders were glad to escape with their lives. On the following Monday the solemn purgation of Count Sayn took place in the field of judgment beyond the walls. Eight bishops, twelve Cistercian and three Benedictine abbots, twelve Franciscan and three Dominican friars, who, with many other clerks and numerous nobles, took part in his oath of denial, show how emphatically the German hierarchy desired to disclaim all sympathy with Conrad's acts. Count Solms, whom Conrad had forced to confession, went through the same ceremony, declaring with tears in his eyes that the fear of death alone had compelled him to admit himself guilty. The diet then proceeded to legislate for the future, and its slender enunciation on the subject of heresy can have carried little comfort to the wrathful Gregory. It simply commanded that all who exercised judicial functions should use every effort to purge the land of heresy, but at the same time it cautioned them to prefer justice to unjust persecution.*

Two months later, April 2, 1234, a council was held at Mainz for final action. Count Sayn and others who had been accused were subjected to a form of examination, were declared innocent, and were restored to reputation and to their possessions. Conrad's unlucky witnesses who had been forced to commit perjury were ordered to undergo a penance of seven years; those who had accused the innocent were maliciously sent to the pope for the imposition of penance, and he was, in the same spirit, asked what should be done about those whom Conrad had unjustly burned. As for the murderers, they were simply excommunicated.†

All this was a direct challenge to the Holy See, but Gregory prudently delayed action. He was involved in troubles with the Romans which rendered inadvisable any trial of strength with the united Teutonic Church. He sent his penitentiary, Bernard, who made an investigation on the spot, and, in conjunction with Archbishop Sigfried, furnished him with a report to which we are indebted for most of our knowledge of the affair. On receiving this,

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* Epistt. Select. Sæcul. XIII. T. I. No. 503, 572.—Chron. Erfordiens. (Schannat Vindem. Literar. I. 94).—Alberic. Trium Font. ann. 1234.—Gest. Treviror. c. 175.

† Alberic. Trium Font. ann. 1233.

Gregory expressed his regret that he had intrusted to Master Conrad the enormous powers which had led to a result so lamentable. Still his decision was delayed. Towards the end of the year 1234 he appealed earnestly to the German bishops for aid in his quarrel with the Romans, which continued until he made peace with them in April, 1235. His hands were now free, but it was not until July that he trusted himself to express his indignation. Then he scolded most vehemently the Council of Mainz for daring, in the absence of any defenders of the faith, to absolve those whom Conrad had prosecuted, and for sending to him for absolution the murderers, without having first exacted of them full satisfaction for their detestable crime. His sentence upon them is that they shall join the crusade to Palestine when it sets sail the following March, giving good security to insure their obedience, and meanwhile they shall visit all the greater churches in the region of the crime, barefooted and naked, except drawers, with a halter around the neck, and a rod in the hand, and, when the affluence of people is the greatest, cause themselves to be scourged by all the priests, while they chant the penitential psalms, and publicly confess their guilt. After this they may be absolved.*

It is satisfactory to know that the immediate author of the troubles met with the fate which he deserved. Conrad Tors, on his return from Rome, endeavored to resume his interrupted labors, but the temper of the people had changed, and the victims were no longer unresisting. At Strassburg he summoned the Junker Heinz von Müllenheim, who unceremoniously settled the accusation by slaying him. His assistant, the one-eyed John, met an even more ignominious fate, for he was recognized at Freiburg and hanged.†

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* Alberic. Trium Font. ann. 1233.—Epistt. Select. Sæcul. XIII. T. I. No. 607, 611–12, 636, 647.

There would appear not to be ground for the story told by Philippe Mousket (Chronique Rimée, 28831–42.—Bouquet, XXII. 55) that Gregory sent a cardinal Otho to Germany, who proceeded to degrade sundry ecclesiastics concerned in the matter, and raised such a tempest that he was obliged to escape by night to Tournay, and thence return to Rome. Even if baseless, however, the very circulation of such a report shows the antagonism excited between Rome and Germany.

† Kaltner, p. 173.—Annal Wormatiens. (Hist. Diplom. Frid. II. T. IV. p. 617).

Thus ended this terrible drama, which left an impression of horror on the souls of the German people not easily effaced. The number of Conrad's victims can only be guessed at. Some chroniclers vaguely speak of them as innumerable, and one asserts that a thousand unfortunates were burned. Although this is probably an exaggeration, for the period of Conrad's insane activity cannot have exceeded a twelvemonth, yet the number must have been considerable to produce so profound an impression on a generation which was by no means susceptible.*

One good result there undoubtedly was. The universal detestation excited by Conrad's crazy fanaticism rendered it comparatively easy for the bishops to maintain the jurisdiction which they had assumed, and to keep the Inquisition confined within narrow limits. For a time this was doubtless facilitated by the open quarrels between Frederic II. and the papacy, but even after his death, during the Great Interregnum and the reigns of emperors who were more or less dependent upon the Holy See, more than a century was to pass away before the popes, who were so zealously organizing and strengthening it elsewhere, made a serious effort to establish the Inquisition in Germany. We hear of no endeavors on their part, we meet with no appointments or commissions of German inquisitors. It seems to have been tacitly understood that the institution was unfitted for German soil until a period when it had fairly entered into decadence in the lands where its growth was the rankest.

The excitement of Conrad of Marburg's exploits was naturally succeeded by a reaction. In 1233 the murder of Bishop Berthold of Coire, attributed to heretics, shows how far persecution spread, accompanied by a dangerous tendency to resistance. Throughout 1234 both Dominicans and Franciscans are reported as busy, with the result of numerous burnings; but the lesson taught by the attitude of the German prelates was not lost, and in 1235 the magistrates of Strassburg enjoined on them to seek conversions by preaching, and not to burn people without at least giving them a hearing. The languor and reaction continued. We have seen

* Trithem. Chron. Hirsaug. ann. 1232.—Erphurdian. Variloq. ann. 1232 (Menken. II. 484).—Chron. Sanpetrin. Erfurt. (Ib. III. 254).—Anon. Saxon. Hist. Impp. (Ib. III. 125).—Chron. Erfordiens. ann. 1232 (Schannat Vindem. Literar. I. 92).

from the complaints of the Count of Salins, in 1248, and the fruitless efforts of Innocent IV. to establish the Inquisition in Besançon, that the western borders of Germany were full of Waldenses who had little to dread. At the same period there was a demonstration in the neighborhood of Halle which may be reasonably regarded as Waldensian. The papacy had succeeded in raising a rival to Frederic in the person of William of Holland, and a crusade was on foot in his favor against Conrad, Frederic's son. The imperialists would naturally regard with favor the Waldensian doctrines denying the power of the keys and the obedience due to interdicts, and they might not object further to the tenet that sinful priests cannot administer the sacraments. Such were the dogmas attributed to the heretics of Halle, who came boldly forward in 1248, were eagerly listened to by the nobles, and were favored by King Conrad, but they speedily disappeared from sight in the changeful circumstances of that tumultuous time.*

We have much more distinct indications of the existence both of heresy and of the Inquisition in the writings of David of Augsburg, and of the author now generally known as the Passauer Anonymus. The date of the latter is not absolutely certain, but it cannot vary much from 1260. His field of action was the extensive diocese of Passau, stretching from the Iser to the Leitha, and from Bohemia to Styria, embracing eastern Bavaria and northern Austria. His instructions seem to take for granted the existence of an organized Inquisition with its fully developed code of procedure, but his description of the prevalence of Waldensianism would indicate that it was almost inoperative. He tells us that he had often been concerned in the inquisition and examination of the "schools," or communities, of Waldenses, of which there were forty-one in the diocese, ten of them being in the single town of Clamme, where the heretics slew the parish priest without any one being punished for it. There were also forty-one Waldensian churches, organized under a bishop residing in Empenbach, and there was a school for lepers at Newenhoffen. All this shows a prosperous growth of heresy little disturbed by persecution. It is observable that the places enumerated as the seats of these churches are

* Kaltner, pp. 171, 173.—Annal. Dominican. Colmar. ann. 1233 (Urstisii Germ. Hist. II. 6).—Potthast No. 13000, 15995.—Albert. Stadens. Chron. ann. 1248.

mostly insignificant villages, the larger towns appear to be avoided, and the heretics belong to the humbler classes—mostly peasants and mechanics. Their wonderful familiarity with Scripture and their self-devoted earnestness in making converts have already been alluded to. From the writer's long description of the tenets of the Ordibarii and Ortlibenses it is evident that they formed a fair proportion of the heretics with whom the inquisitor had to deal, and their belief that the Day of Judgment would come when the pope and the emperor should be converted to their sect, indicates the hopefulness of a faith that is growing and spreading. Soon afterwards we hear of Waldenses captured in the diocese of Ratisbon, and their continued activity, in spite of persecution, through all the south German regions.*

There was little on the part of the Inquisition or the bishops to prevent the growth and spread of heresy. During the Interregnum, in 1261, a council of Mainz seems suddenly to have awakened to a sense of neglected duty in the premises; it vigorously anathematized all heretics after the fashion customary in the papal bulls, and it strictly commanded the bishops of the province to labor zealously for the extermination of heresy in their respective dioceses, enforcing, with regard to the persons and property of heretics, the papal constitutions and the statutes of a former provincial council. There is here no sign of the existence of a papal Inquisition, and the episcopal activity which was threatened appears to have lain dormant, though the action of the council would seem to show that heretics were numerous enough to attract attention. It is true that, in the chancery of Rodolph of Hapsburg, whose reign extended from 1273 to 1292, there was a formula for acknowledging and confirming the papal commissions presented by inquisitors, showing that this must, at least occasionally, have been done. The emperor calls God to witness that his chief object in accepting the crown was to be able to defend the faith; he alludes to the exercise of inquisitorial jurisdiction over the descendants of heretics as well as over heretics themselves, but he carefully inserts a saving clause to the effect that the ac-

* Anon. Passaviens. contra Waldens. c. 3, 6, 9, 10 (Mag. Bib. Pat. XIII. 299, 301-2, 308-9).—W. Preger, Beiträge, pp. 9, 49.—Ejusd. Der Tractat des David von Augsburg.

cused must be legitimately proved guilty and be properly condemned. If, however, inquisitors presented themselves to obtain this recognition of their powers, they have left no visible traces of the results of their activity.*

In the codes which embody the customs current in mediæval Germany there is no recognition whatever of the existence of such a body as the Inquisition. The Sachsenspiegel, which contains the municipal law of the northern provinces, provides, it is true, the punishment of burning for those convicted of unbelief, poisoning, or sorcery, but says nothing as to the manner of trial; and the rule enunciated that no houses shall be destroyed except when rape is committed in them, or a violated woman is carried into them, shows that the demolition of the residences and refuges of heretics was unknown within its jurisdiction. The code throughout is singularly disregardful of ecclesiastical pretensions, and richly earned the papal anathema bestowed upon it when its practical working happened to attract the attention of the Roman curia.†

The Schwabenspiegel, or code in force in southern Germany, is much more complaisant to the Church, but it knows of no jurisdiction over heretics save that of the bishops. It admits that an emperor rendering himself suspect in the faith can be put under ban by the pope. It provides death by fire for the heretic. It directs that when heretics are known to exist, the ecclesiastical courts shall inquire about them and proceed against them. If convicted, the secular judge shall seize them and doom them according to law. If he neglects or refuses he is to be excommunicated by the bishop, and his suzerain shall inflict on him the penalty of heresy. If a secular prince does not punish heresy he is to be excommunicated by the episcopal court; if he remains under the censure for a year the bishop is to report him to the pope, who shall deprive him of his rank and honors, and the emperor is

* Concil. Mogunt. ann. 1261 c. 1 (Hartzheim III. 596).—Cod. Epist. Rodolph. I. pp. 148–9, Lipsiæ, 1806.

† Sachsenspiegel, II. xiii., III. i.—Raynald. ann. 1374, No. 12.

The papal condemnation was probably elicited by a passage in the Sachsenspiegel (II. 3) declaring that the pope could not issue decretals in prejudice of the local laws and constitutions. The Saxon legists were in no wise disconcerted, and proceeded to reassert and prove their position (Richstich Landrecht, II. 24).

bound to execute his sentence by stripping him of all his possessions, feudal and allodial. All this shows ample readiness to accept the received ecclesiastical law of the period as to heresy, but utter ignorance of the inquisitorial process is revealed in the provision which inflicts the *talio* on whoever accuses another of certain crimes, including heresy, without being able to convict him. When the accuser had to accept the chances of the stake, prosecutions were not apt to be common.*

Towards the close of the thirteenth century and the opening of the fourteenth, attention was aroused to the dangerous tendencies of certain forms of belief lurking among some semi-religious bodies which had long enjoyed the favor of the pious and the protection of the Church, known by the names of Beguines, Beghards, Lollards, Cellites, etc. Infinite learned trifling has been wasted in imagining derivations for these appellations. The Beguines and Beghards themselves assert their descent from St. Begga, mother of Pepin of Landen, who built a Benedictine nunnery at Andennes. Another root has been sought in Lambert-le-Bègue, or the Stammerer, a priest of St. Christopher at Liège, about 1180, who became prominent by denouncing the simony of the canons of the cathedral. Prebends were openly placed for sale in the hands of a butcher named Udelin, who acted as broker, and when Lambert aroused the people to a sense of this wickedness, the bishop arrested him as a disturber, and the clergy assailed him and tore him with their nails. His connection with the Beguines arose from his affording them shelter in his house at St. Christopher, which has remained until modern times the largest and richest Beguinage of the province. The soundest opinion, however, would seem to be that both Beghard and Beguine are derived from the old German word *beggan*, signifying either to beg or to pray, while Lollard is traced to *lullen*, to mutter prayers.†

* Schwabenspiegel, Ed. Senck. c. 29, 116 § 12, 351; Ed. Schilt. c. 111, 166, 308.

† Hist. Monast. S. Laurent. Leodiens. Lib. v. c. 54. — Mag. Chron. Belgic. p. 193.—Mosheim de Beghardis, Lipsiae, 1790, pp. 98–100, 114.

In popular use the words Lollard and Beghard were virtually convertible, and yet there is a difference between them. The associations of Lollards were founded during a pestilence at Antwerp about the year 1300. They were laymen

The motives were numerous which impelled multitudes to desire a religious life without assuming the awful and irrevocable vows that cut them off absolutely from the world. This was especially the case among women who chanced to be deprived of their natural guardians and who sought in those wild ages the protection which the Church alone could confer. Thus associations were formed, originally of women, who simply promised chastity and obedience while they lived in common, who assisted either by labor or beggary in providing for the common support, who were assiduous in their religious observances, and who performed such duties of hospitality and of caring for the sick as their opportunities would allow. The Netherlands were the native seat of this fruitful idea, and as early as 1065 there is a charter extant given by a convent of Beguines at Vilvorde, near Brussels. The drain of the crusades on the male population increased enormously the number of women deprived of support and protection, and gave a corresponding stimulus to the growth of the Beguinages. In time men came to form similar associations, and soon Germany, France, and Italy became filled with them. To this contributed in no small degree the insane laudation of poverty by the Franciscans and the merit conceded to a life of beggary by the immense popularity of the Mendicant Orders. To

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who devoted themselves to the care of the sick and insane, and specially to the burial of the dead, supplying the funds partly by labor and partly by begging. The name was derived from the low and soft singing of the funeral chants, but they called themselves Alexians, from their patron, St. Alexis, and Cellites from dwelling in cells. They were also known as Matemans, and in Germany as Nollbrüder. The word Lollard gradually grew to have the significance of external sanctity covering secret license, and was promiscuously applied to all the mendicants outside of the regular Orders. The Cellite associations spread from the Netherlands through the Rhinelands and all over Germany. Constantly the subject of persecution, along with the Beghards, their value was recognized by the magistrates of the cities who endeavored to protect them. In 1472 Charles the Bold obtained from Sixtus IV. a bull receiving them into the recognized religious orders, thus withdrawing them from episcopal jurisdiction; and in 1506 Julius II. granted them special privileges. The associations of Alexian Brothers still exist, devoted to the care of the sick, and have flourishing hospitals in the United States, as well as in Europe. (Moshcim de Beghardis pp. 461, 469.—Martini Append. ad Mosheim pp. 585–88.—Hartzheim IV. 625–6.—Addis & Arnold's Catholic Dictionary, New York, 1884, p. 886.)

earn a livelihood by beggary was in itself an approach to sanctity, as we have seen in the case of Conrad of Marburg and St. Elizabeth. About 1230 a certain Willem Cornelis, of Antwerp, gave up a prebend and devoted himself to teaching the pre-eminent virtue of poverty. He carried the received doctrine on the subject, however, to lengths too extravagant, for he held that poverty consumed all sin, as fire ate up rust, and that a harlot, if poor, was better than a just and continent rich man; and though he was honorably buried in the church of the Virgin Mary, yet when, four years later, these opinions came to be known, Bishop Nicholas of Cambrai caused his bones to be exhumed and burned.*

Extremes such as this show us the prevailing tendencies of the age, and it is necessary to appreciate these tendencies in order to understand how Europe came to tolerate the hordes of holy beggars, either wandering or living in communities, who covered the face of the land, and drained the people of their substance. Of the two classes the wanderers were the most dangerous, but in both there was the germ of future trouble, although the settled Beguines approached very nearly the Tertiaries of the Mendicants. Indeed, they frequently placed themselves under the direction of Dominicans or Franciscans, and eventually those who survived the vicissitudes of persecution mostly merged into the Tertiaries of either one Order or the other.

The rapid growth of these communities in the thirteenth century is easily explicable. Not only did they respond to the spiritual demands of the age, but they enjoyed the most exalted patronage. In Flanders the counts seem never wearied of assisting them. Gregory IX. and his successors took their institution under the special protection of the Holy See. St. Louis provided them with houses in Paris and other cities, and left them abundant legacies in his will, in which he was imitated by his sons. Under such encouragement their numbers increased enormously. In Paris there were multitudes. About 1240 they were estimated at two thousand in Cologne and its vicinity, and there were as many in the single Beguinage of Nivelle, in Brabant. Philippe de Montmirail,

* Miræi Opp. Diplom. II. 948 (Ed. Foppens).—D'Argentré, Coll. Judic. I. I. 138.

a pious knight who devoted himself to good works, is said to have been instrumental in providing for five thousand Beguines throughout Europe. The great Beguinage of Ghent, founded in 1234, by the Countesses of Flanders, Jeanne and Marguerite, is described in the seventeenth century as resembling a small town, surrounded with wall and fosse, containing open squares, conventual houses, dwellings, infirmary, church, and cemetery, inhabited by eight hundred or a thousand women, the younger living in the convents, the older in separate houses. They were tied by no permanent vows and were free to depart and marry at any time, but so long as they were inmates they were bound to obey the Grand Mistress. The guardianship of the establishment was hereditary in the House of Flanders, and it was under the supervision of the Dominican prior of Ghent. How large was the space that Beguinism occupied in public estimation in the thirteenth century is shown by Philippe Mousket, who calls Conrad of Marburg a Beguine, "*uns bégins mestre sermonnière.*" *

Those who thus lived in communities could be subjected to wholesome supervision and established rules, but it was otherwise with those who maintained an independent existence, either in one spot or wandering from place to place, sometimes supporting themselves by labor, but more frequently by beggary. Their customary persistent cry through the streets—"*Brod durch Gott*"—became a shibboleth unpleasantly familiar to the inhabitants of the German cities, which the Church repeatedly and ineffectually endeavored to suppress. A circumstance occurring about 1240 illustrates their reputation for superior sanctity and the advantages derivable from it. A certain Sibylla of Marsal near Metz, we are told, seeing how many women under the name of Beguines flourished in the appearance of religion, and under the guidance of the Dominicans, thought fit to imitate them. Assiduous attendance at matins and mass gained her the repute of peculiar holiness. Then she pretended to fast and live on celestial food, she had ecstasies and visions, and deceived the whole region, not ex-

* Miræi Opp. Diplom. I. 429; II. 998, 1013; III. 398, 523.—Mosheim de Beghardis pp. 43, 105, 127, 131-2.—Wadding. ann. 1485, No. 27.—B. de Jonghe Belgium Dominican. ap. Ripoll II. 170.—Chron. Rimée de Ph. Mousket, 28817 (Bouquet. XXII. 54).

cepting the Bishop of Metz himself. The Beguines who had hailed her as a saintly sister were excessively mortified when an accident revealed the imposture; the people were so enraged that some wanted to burn her and others to bury her alive, but the bishop shut her up in a convent, *in pace*, where, naturally enough, she soon died.*

The Church was not long in recognizing the danger inherent in these practices when withdrawn from close supervision. On the one hand there was simulated piety, like that of Sibylla of Marsal, on the other the far more serious opportunity of indulgence in unlawful speculation. In 1250 and the following years the Beguines of Cologne repeatedly sought the protection of papal legates against the oppression of both clergy and laity. Already, in 1259, a council of Mainz strongly reproved the pestiferous sect of Beghards and Beguttæ (Beguines), who wandered through the streets crying "*Broth durch Gott*," preaching in caverns and other secret places, and given to various practices disapproved by the Church. All priests were ordered to warn them to abandon these customs, and to expel from their parishes those who were obstinate. In 1267 the Council of Trèves forbade their preaching in the streets on account of the heresies which they disseminated. In 1287 a council of Liège deprived all who did not live in the Beguinages of the right to wear the peculiar habit and enjoy the privileges of Beguines. In Suabia, about the same period, some members of communities of Beghards and Beguines sought to persuade the rest that they could better serve God "in freedom of spirit," when the bishops proceeded to abolish all such associations, and some of them asked to adopt the rule of St. Augustin.†

All this points to the adoption, by the followers of Ortlieb, who called themselves Brethren of the Free Spirit, of the habit and appellation of the Beghards and Beguines, and the gradual invasion among the latter of the doctrines derived from Amaury.

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* Chron. Senonens. Lib. IV. c. 18 (D'Achery II. 634–6).

The cry of "*Brod durch Gott*" was already of old usage. It was the first German speech acquired by the Franciscans sent to Germany, in 1221, by St. Francis.—Frat. Jordani Chron. c. 27 (Analecta Franciscana I. 10).

† Haupt, Zeitschrift für Kirchengeschichte, 1885, p. 544.—Hartzheim III. 717; IV. 577.—Concil. Trevirens. ann. 1257 c. 66 (Martene Ampl. Coll. VII. 114-5).—Mosheim p. 199.

Comparatively few of the Lollards, Beghards, or Beguines were contaminated with these heresies, but they all had to share the responsibility, and the communities of both sexes, who led the most regular lives and were inspired with the purest orthodoxy, were exposed to unnumbered tribulations for lack of a distinctive appellation. When heretics regarded as peculiarly obnoxious were anathematized as Beghards and Beguines, it was impossible for those who bore the name, without sharing the errors, to escape the common responsibility. It became even worse when John XXII. plunged into a quarrel with the Spiritual Franciscans, drove them into open rebellion, and persecuted the new heresy which he had thus created with all the unsparing wrath of his vindictive nature. In France the Tertiary Franciscans were popularly known as Beguines, and this became the appellation customarily bestowed on these Spiritual heretics, and adopted by the Avignonese popes to designate them. Not only has this led to much confusion on the part of heresiologists, but its effect, for a time, on the fortunes of the virtuous and orthodox Beguines of both sexes was most disastrous. The heretic Beghards, it is true, adopted for themselves the title of Brethren of the Free Spirit; the rebellious Franciscans insisted that they were the only legitimate representatives of the Order, and, at most, assumed the term of Spirituals, in order to distinguish themselves from their carnal-minded conventual brethren; but the authorities were long in admitting these distinctions, and, in the eyes of the Church at large, the condemnation of Beghards and Beguines covered all alike.

We have here to do only with the Brethren of the Free Spirit, whose doctrines, as we have seen, were derived from the speculations of the Amaurians carried to Germany by Ortlieb of Strassburg. Descriptions of their errors have reached us from so many sources, covering so long a period, with so general a consensus in fundamentals, that there can be little doubt as to the main principles of their faith. In a sect extending over so wide a reach of territory, and stubbornly maintaining itself through so many generations, there must necessarily have existed subdivisions, as one heresiarch or another pushed his speculations in some direction further than his fellows, and founded a special school whose aberrations there was no central authority to control. Many of

the peculiarly repulsive extravagances attributed to them, however, may safely be ascribed to keen-witted schoolmen engaged in trying individual heretics, and forcing them to admit consequences logically but unexpectedly deduced from their admitted premises. There was no little intellectual activity in the sect, and their tracts and books of devotion, written in the vernacular, were widely distributed, and largely relied upon as means of missionary effort. These, of course, have wholly disappeared, and we are left to gather their doctrines from the condemnations passed upon them.

The foundation of their creed was pantheism. God is everything that is. There is as much of the divinity in a louse as in a man or in any other creature. All emanates from him and returns to him. As the soul thus reverts to God after death, there is neither purgatory nor hell, and all external cult is useless. Thus at one blow was destroyed the efficacy of all sacerdotal observances and of the sacraments. Of the latter, indeed, no terms were severe enough to express their contempt, and they were sometimes in the habit of saying that the Eucharist tasted to them like dung. Man being thus God by nature, has in him all that is divine, and each one may say that he himself created the universe. One of the accusations brought against Master Eckart was that he had declared that his little finger created the world. Nay, more, man can so unite himself with God that he can do whatever God does; he thus needs no God; he is impeccable, and whatever he does is without sin. In this state of perfection he grieves at nothing, he rejoices at nothing, he is free from all virtue and all virtuous actions. No one is bound to labor for his bread; as all things are in common, each one may take what his necessities or desires may prompt.*

The practical deductions from these doctrines were not only destructive to the Church, but dangerous to the moral and social order. The lofty mysticism of the teachers might preserve them

* C. 3 Clement. v. 3.—Johann. de Ochsenstein (or of Zurich) (Mosheim de Beghardis pp. 255–61).—Concil. Colon. ann. 1306 c. 1, 2 (Hartzheim IV. 100–2).—Vitodurani Chron. ann. 1344 (Eccard. Corp. Hist. I. 1906–7).—Alvar. Pelag. de Planctu Eccles. Lib. II. art. 52.—Conr. de Monte Puellarum contra Begehardos (Mag. Bib. Pat. XIII. 342–3).—Trithem. Chron. Hirsaug. ann. 1356.—D'Argentré, Coll. Judic. I. I. 377.—Nider Formicar. III. v.—W. Preger, Meister Eckart u. d. Inquisition, pp. 45–7.—Haupt, Zeitschrift für Kirchengeschichte, 1885, 557–8.

from the evil results which flowed from the presumption of impeccability. In their austere stoicism they condemned all sexual indulgence save that of which the sole object was the procurement of offspring. They taught that a woman in marrying should deeply deplore the loss of her virginity, and that no one was perfect in whom promiscuous nakedness could awaken either shame or passion. That tests of this kind were not infrequent, the history of ill-regulated enthusiasm, from the time of the early Christians, will not permit us to doubt, and the Beghards succeeded so well in subduing the senses that a hostile controversialist can only suggest Satanic influence, well known to demonologists for its refrigerating power, as an explanation of their wonderful self-control under such temptation. Yet this rare exaltation of austerity was not possible to all natures. It was easy for him who had not risen superior to the allurements of the senses to imagine himself perfected, impeccable, and entitled to gratify his passions. St. Paul, in arguing against the bondage of the Old Law, had furnished texts which, when cited apart from their contexts, could be and were alleged in justification: "For the law of the spirit of life in Christ Jesus hath made me free from the law of sin and death" (Rom. VIII. 2)—"The law is not made for a righteous man" (1 Tim. I. 9)—"But if ye be led of the Spirit ye are not under the law" (Galat. v. 18)—and the Brethren of the Free Spirit claimed freedom from all the trammels of the law. Such a doctrine was attractive to those who desired excuse and opportunity for license, and the evidence is too abundant and confirmatory for us to doubt that, at least in some cases, the sectaries abandoned themselves to the grossest sensuality. It is noteworthy that, in order to describe the divine internal light which they enjoyed, they invented for themselves the term Illuminism, which for more than three centuries continued to be of most serious import.*

As a branch of the sect may be reckoned the Luciferans, who have been repeatedly alluded to above. Pantheism, of course, in-

* Nider. Formicar. III. vi.—Concil. Colon. ann. 1306 c. 1 (Hartzheim IV. 101).—Trithem. Chron. Hirsaug. ann. 1356.

Poggio states that in his time a number of ecclesiastics in Venice corrupted many women with this theory of impeccability and of nakedness as an evidence of a state of grace.—Poggii Dial. contra Hypocrisim.

cluded Satan as an emanation from God, who in due time would be restored to union with the Godhead, and it was not difficult to assume that his fallen state was an injustice. In 1312 Luciferans were discovered at Krems, in the diocese of Passau, whose bishop, Bernhard, together with Conrad, Archbishop of Salzburg, and Frederic, Duke of Austria, undertook their extirpation with the aid of the Dominican Inquisition, which seems to have maintained some foothold in those regions. The persecution lasted until 1315, but the sect was not exterminated, and reappeared repeatedly in after-years. It is reported to have been thoroughly organized, with twelve "apostles" who travelled annually throughout Germany, making converts and confirming the believers in the faith. All the ceremonies of external worship were rejected, but they did not enjoy the impeccability of Illuminism, for two of their ministers were held to enter paradise every year, where they received from Enoch and Elias the power of absolving their followers, and this power they communicated to others in each community. Those who were detected proved obdurate; they were deaf to all persuasion, and met their death in the flames with the utmost cheerfulness. One of the apostles, who was burned at Vienna, stated, under torture, that there were eight thousand of them scattered throughout Bohemia, Austria, and Thuringia, besides numbers elsewhere. Bohemia was especially infected with these errors, and Trithemius, in the opening years of the sixteenth century, states that there were still thousands of them in that kingdom. This is doubtless an exaggeration, if not a complete mistake, but they were again discovered in Austria in 1338 and 1395, and many of them were burned.*

The tendency to mysticism which found its complete expression in the Brethren of the Free Spirit influenced greatly the development of German religious thought in channels which, although assumedly orthodox, trenched narrowly upon heresy. If, as Altmeyer argues, a period of tribulation leads to the predominance of sentiment over intellect, to the yearning for direct intercourse between the soul and the Divine Essence, which is the supreme aim of the mystic, the Germany of the fourteenth century had troubles

* Trithem. Chron. Hirsaug. ann. 1315.—Schrödl, Passavia Sacra, Passau, 1879, pp. 242–3, 247, 284.

enough to justify the development of mysticism. Yet it is rather a question of the mental characteristics of a race than of external circumstances. Bonaventura was the father of the mystics, yet he founded no sect at home; France, in the hundred years' war with England, had ample experience of trial, and yet mysticism never flourished on her soil. In Germany, however, the mystic tendency of religious sentiment during the fourteenth century is the most marked spiritual phenomenon of the period. Few names in the first quarter of the century were more respected than that of Master Eckart, who stood high in the ranks of the great Dominican Order. I have already (Vol. I., p. 360) related how he fell under suspicion of participating in the errors of the Beghards, how his brethren vainly strove to save him, and how the Archbishop of Cologne won a decided victory over the feeble and unorganized Dominican Inquisition by vindicating the subjection of a Dominican to his episcopal Inquisition. If the twenty-eight articles finally condemned by John XXII. as heretical be correctly extracted from Eckart's teachings, there can be no doubt that he was deeply infected with the pantheistic speculations of the Brethren of the Free Spirit, that he admitted the common divinity of man and God, and shared in the dangerous deductions which proved that sin and virtue were the same in the eyes of God. To a hierarchy founded on sacerdotalism, moreover, nothing could be more revolutionary than the rejection of external cult, which was the necessary conclusion from the doctrine that there is no virtue in external acts, but that only the internal operations of the soul are of moment; that no man should regret the commission of sin, or ask anything of God.*

The importance of Eckart's views lies not so much in his own immediate influence as in that of his disciples. He was the founder of the school of German mystics, through whom the speculations

* Altmeyer, Les Précurseurs de la Réforme aux Pays-Bas, I. 94.—Raynald. ann. 1329, No. 71.

For the relations of Master Eckart with the Brethren of the Free Spirit, see Preger, Vorarbeiten zu einer Geschichte der deutschen Mystik (Zeitschrift für die hist. Theol. 1869, pp. 68–78). The fact that the bull of John XXII., "*In agro Dominico*" (Ripoll VII. 57; cf. Herman. Corneri Chron. *ap.* Eccard. Corp. Hist. II. 1036–7), condemning Master Eckart's errors, has until within a few years passed as a general bull against the Brethren, sufficiently shows the connection.

of Amauri of Bene, in various dilutions, made a deep impression on the religious development of the fourteenth and fifteenth centuries. All the leaders in the remarkable association known as the "Friends of God" drew, directly or indirectly, their inspiration from Master Eckart, and all, to a greater or less extent, reveal their affinity to the Brethren of the Free Spirit, although they succeeded in keeping technically within the limits of orthodoxy.

John of Rysbroek, humane and gentle as he was, regarded the Brethren of the Free Spirit with such horror that he deemed them worthy of the stake. Yet, though he avoided their pantheism, he taught, like them, the supreme end of existence in the absorption of the individual into the infinite substance of God; moreover, the Perfect, inflamed by divine love, are dead to themselves and to the world, and are thus incapable of sin. It is no wonder that Gerson regarded as dangerous these doctrines, so nearly akin to those of the Beghards, and though Rysbroek might hesitate to draw from them the conclusions inevitable to hardier thinkers, they were sufficient to render unsuccessful the attempt made, in 1624, to canonize him, in spite of the incontestable miracles wrought at his tomb. His most distinguished disciple was Gerard Groot, who partially outgrew the metaphysical subtleties of his teacher and turned his energies to the more practical directions out of which sprang the Brethren of the Common Life. Groot was equally severe upon the corruption of the clergy and the errors of the heretics. When the introduction of the Inquisition into Germany drove the Brethren of the Free Spirit to find new places of refuge, some of them came to Holland, where the prevalence of pantheistic mysticism gave opportunity of spreading their doctrines. Groot's own views sufficiently resembled theirs to render their bolder speculations doubly offensive to him, and he sought to repress them with especial zeal. The convent of Augustinian Hermits at Dordrecht had the reputation of being tainted with the heresy, and Groot was eager to detect and punish it. Bartholomew, one of the Augustinians, was particularly suspected, and Groot proposed to follow him secretly with a notary and take down his words. In this, or some other way, evidence was obtained; there was no Inquisition in Holland, and Groot procured his citation before Florent, Bishop of Utrecht, about the year 1380. The case was heard before the episcopal vicar; Bartholomew de-

nied the expressions attributed to him and was let off with an injunction to publicly repeat the denial in Kampen and Zwolle, where he was said to have uttered his heresies. This unexpected lenity excited the indignation of Groot, who had sufficient influence to induce Bishop Florent to take up the case again and try it personally. Bartholomew endeavored to escape his persecutor by appearing a day in advance of the one set for his trial, but word was sent to Groot, who threw himself into a wagon, and by travelling all night reached Utrecht in time. On this occasion he was successful; Bartholomew was condemned as a heretic, abjured, and was sentenced to wear crosses in the form of scissors. The Augustinians did not lack friends, and they retaliated on those who had busied themselves in the matter. The magistrates of Kampen prosecuted some women who had served as witnesses and fined them, and they also banished for ten years Werner Keynkamp, a friend of Groot, who subsequently was thrice prior of houses of Brethren of the Common Life. Groot himself did not escape, for soon afterwards Bishop Florent, for the purpose of silencing him, issued an order withdrawing all commissions to preach. Groot then endeavored to procure from Urban VI. papal commissions as preacher and inquisitor, and sent to Rome ten florins to pay for the bulls. Fortunately for his fame, he died, in 1384, before the return of his messenger, and Holland was spared the effects of his inconsiderate zeal, inflamed by strife and armed with the irresponsible power of the Inquisition. In his gentler capacity he left his mantle to Florent Radewyns, under whom were developed the communities of the Common Life. These spread rapidly throughout the Netherlands and Germany, and though occasionally the subject of inquisitorial persecution, they were covered by the decision of Martin V., when Matthew Grabon, at the Council of Constance, endeavored to procure the condemnation of the Beguines, of which more anon. After this they flourished without opposition, supporting themselves by disseminating culture, as educators and copiers of manuscripts. After the Reformation the communities rapidly died out, although the house of Emmerich, near Düsseldorf, remained to be closed by Napoleon, in 1811, and the four brethren then ejected from it continued to observe the rules, till the last one, Gerard Mulder, died at Zevenaar, March 15, 1854. One branch of the brethren, however,

adopted the Rule of the canons-regular of St. Augustin. Their convent of Windesheim became the model which was universally followed, and the order had the honor of training two such men as Thomas-à-Kempis and Erasmus. The Imitation of Christ is the final exquisite flower of the moderated mysticism of John of Ruysbroek. Brought down to practical life, this mysticism contributed largely to the spiritual movement which culminated in the Reformation, for it taught the superfluity of external works and the dependence of the individual on himself alone for salvation. In this the Brethren of the Common Life were active. To them dogma became less important than the interior discipline which should fit men to be really children of God. Preaching among the people and teaching in the schools, such brethren as Henry Harphius, John Brugman, Denis Van Leeuwen, Jon Van Goch, and John Wessel of Groningen, were unwittingly undermining the power of the hierarchy, although they virtually escaped all imputation of heresy and danger of persecution.*

Less lasting, though more noticeable at the time, was the association of Friends of God, which formed itself in the upper Rhinelands. The most prominent disciple of Master Eckart was John Tauler, who retained enough of his master's doctrines to render him amenable to the charge of heresy had there been in those days a German Inquisition in working order. That he escaped prosecution is the most conclusive evidence that the machinery of persecution was thoroughly out of gear. In the heights of his illuminated quietism all the personality of the devotee was lost in the abyss of Divinity. No human tongue could describe the resignation to God in which the whole being is merged so that it lost all sense of power of its own. No priestly ministrant or mediator was required. The individual could bring his soul into relations with the Godhead so intimate that it was virtually lost in the Divine Essence, and he could become so thoroughly under the influence of the Holy Ghost that he was, so to speak, inspired, and

* Mosheim de Beghardis, pp. 305, 433–57.—Jundt, Les Amis de Dieu, pp. 65–66.—Gersoni Opp. Ed. 1494, xv. Z-xvi. B.—D'Argentré, Coll. Judic. I. II. 152.—Altmeyer, Les Précurseurs de la Réforme aux Pays-Bas, I. 107–117, 166–188.—Acquoy, Gerardi Magni Epistolæ, Amstelod. 1857, pp. 28, 32–5, 37–8, 40–2, 48–9, 52–4, 57–60, 69, 83, 101.—Von der Hardt, III. 107–20.—Bonet-Maury, Gérard Groot, pp. 37–8, 49–54, 62–4, 83–5.

his acts were the acts of the Third Person of the Trinity. All this was possible for the layman without sacerdotal observance. Man was answerable for himself to himself alone, and could make himself at one with God without the intervention of the priest.*

Great as was Tauler's renown as the foremost preacher of his day, he bowed as a little child before the mysterious layman known as the Friend of God in the Oberland. In the full strength of mature manhood, when at least fifty years of age and when all Strassburg was hanging on his words, a stranger sought his presence and probed to the bottom his secret weaknesses. He was a Pharisee, proud of his learning and his skill in scholastic theology; before he could be fit for the guidance of souls he must cast off all reliance on his own strength and become as an infant relying on God alone. Overcome by the mystic power of his visitor, the doctor of theology subdued his pride, and in obedience to the command of the stranger, who never revealed his name, Tauler for two years abstained from preaching and from hearing confessions. From this struggle with himself he emerged a new man, and formed one of the remarkable band of Friends of God whom the nameless stranger was engaged in selecting and uniting.†

This association was not numerous, for only rare souls could rise to the altitude in which they would surely wish only what God wishes and dislike what God dislikes; but its adepts were scattered from the Netherlands to Genoa, and from the Rhinelands to Hungary. Terrible were the struggles and spiritual con-

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* J. Tauleri Institt. c. 12.—Vitæ D. Johannis Tauleri Historia.

It is no wonder that Tauler's writings have been the subject of contradictory opinion and action on the part of the Church. Their tendencies to Illuminism and Quietism were recognized, and, in 1603, the Congregation of the Index proposed to prepare an expurgated edition of his works and of those of Savonarola, but the project was never executed.—Reusch, Der Index der verbotenen Bücher, I. 370, 469, 523, 589.

† Vitæ Tauleri Historia.

M. Jundt, as the result of a series of elaborate and ingenious investigations, feels himself authorized to assume that the mysterious Friend of God in the Oberland, who has given rise to so much discussion, was John of Rutberg; that he was a resident of Coire, and that his final hermitage was in the parish of Ganterschwyl, Canton of St. Gall (Jundt, Amis de Dieu, Paris, 1879, pp. 334–42). Prof. Ch. Schmidt, however, still considers that the mystery has not been solved. —Précis de l'Histoire de l'Église de l'Occident, Paris, 1885, p. 304.

flicts, the alternations of hope and despair, of ravishing ecstasies and hideous temptations, with which God tried the neophyte who sought to ascend into the serene atmosphere of mystic illuminism —struggles and conflicts which form a strangely resembling prototype of those which for long years tested the steadfastness of John Bunyan. When at length the initiation was safely endured, God drew them to him, he illuminated their souls so that they became one with him; they were gods by grace, even as he is God by nature. Then they were in a condition of absolute sinlessness, and could enjoy the assurance that it would continue during life, so that at death they would ascend at once to heaven with no preliminary purgatory.*

In many of their tenets and practices there is a strange reverberation of Hinduism, all the stranger that there can be no possible connection between them, unless perchance there may be some elements derived from mystic Arabic Aristotelianism, which so strongly influenced scholastic thought.† As the old Brahmanic *tapas*, or austere meditation, enabled man to acquire a share of the divine nature, so the interior exercises of the Friends of God assimilated man to the Divinity, and the miraculous powers which they acquired find their prototypes in the Rishis and Rahats. The self-inflicted barbarities of the Yoga system were emulated in the efforts necessary to subdue the rebellious flesh; Rulman Merswin, for instance, used to scourge himself with wires and then rub salt into the wounds. The religious ecstasies of the Friends of God were the counterpart of the Samadhi or beatific insensibility of the Hindu; and the supreme good which they set before themselves was the same as that of the Sankhya school—the renunciation of the will and the freedom from all passions and desires, even that of salvation. Yet these resemblances were modified by the Christian sense of the omnipotence and omnipresence of God, and by the more practical character of the Western mind, which did not send its votaries into the jungle and forest, but ordered them, if laymen, to continue their worldly life; if rich, they were not to despoil themselves, but to employ their riches in good works, and to discharge their duties to man as well as to God. Rulman Mers-

* Jundt, pp. 37–9, 60–2, 83, 106–7, 166, 313.

† See Rênan, Averroès et l'Averroïsme, 3e Éd. pp. 95, 144–6.

win was a banker, and continued in active business while founding the community of the Grün Wöhrd and writing the treatises which were the support and the comfort of the faithful. Yet the chief of them all and his immediate disciples founded a hermitage in the wilderness, where they devoted themselves to propitiating the wrath of God. The unutterable wickedness of man called for divine vengeance. Earthquakes, pestilence, famine, had been disregarded warnings, and only the intercession of the Friends of God had obtained repeated reprieves. The Great Schism, in 1378, was a new and still greater calamity, and in 1379 an angel messenger informed them that the final punishment was postponed for a year, after which they must not ask for further delay. Still, in 1380, thirteen of them were mysteriously called to assemble in a "divine diet," to which an angel brought a letter informing them that, at the prayer of the Virgin, God had granted a respite of three years provided they would constitute themselves "prisoners of God," living the life of recluses in absolute silence, broken only two days in the week from noon to eve, and then only to ask for necessaries or to give spiritual counsel. To this they assented, and not long afterwards they disappear from view.*

The Friends of God are noteworthy not only as a significant development of the spiritual tendencies of the age, but they have a peculiar interest for us from their relations with the Church on the one hand and with the Brethren of the Free Spirit on the other. They were an outgrowth of the latter, though they avoided the deplorable moral extravagances of the parent sect. The "Ninth Rock," which was the supreme height of ascetic illuminism of the Beghards, reappears in the same sense in the most notable of Rulman Merswin's works, attributed until recently to Henry Suso. It is no wonder that Nider confounded the Friends of God with the Beghards, though Merswin's "Baner Buechelin" was written for the purpose of denouncing the errors of the latter. In much, as we have seen, they differed from the current doctrines of the Church, carrying their aberrations further than those which in the seventeenth century were so severely repressed in Molinos and the Illuminati. To these they added special errors of their own. Many Jews and Moslems, they said, were saved, for God aban-

* Jundt, pp. 143, 164, 308–9, 312–13, 316–17.

dons none who seek him, and though they cannot enjoy Christian baptism, God himself baptizes them spiritually in the sufferings of the death-agony. In the same spirit they refused to denounce the heretic to human justice for fear of anticipating divine justice; they could tolerate him in the world as long as God saw fit to do so. Yet they had one saving principle which preserved them from the temporal and spiritual consequences of their errors, giving us a valuable insight into the relations between the Church and heresy. While denouncing in the strongest language the corruptions and worldliness of the establishment, they professed the most implicit obedience to Rome, and much could be overlooked or pardoned so long as the supremacy of the Holy See was not called in question. When, in June, 1377, the Friend of God in the Oberland was inspired to visit, with a comrade, Gregory XI., and warn him of the dangers which threatened Christendom, they spoke to him with the utmost freedom, and though he at first was angered, he finally recognized in them the envoys of the Holy Ghost and honored them greatly, urging them to resume their abandoned design of founding a great institution of their order. Gregory was relentless in the extermination of Waldenses, Beghards, and the remnants of the Cathari, but he saw nothing to object to in the mysticism and illuminism of his visitors. He did not even take offence when they threatened him with death within the twelvemonth if he did not reform the Church. In effect he died March 28, 1378; but, if we may believe Gerson, his dying regrets were not that he had neglected these warnings, but that by too credulously listening to the visions of male and female prophets he had paved the way for the Great Schism, which he foresaw would break out when he was removed from the scene.*

After this hasty review of the more orthodox developments of mysticism we may return to the history of the Brethren of the Free Spirit, who maintained the pantheistic doctrine in all its crudity, and did not shrink from its legitimate deductions. Tow-

* Mosheim de Beghardis p. 256.—Jundt, pp. 13, 42–3, 147, 155–60, 282–7, 347.—Nider Formicar. III. 2.—Gerson. de Exam. Doctrinarum P. II. Consid. 3.

There is nothing improbable in the freedom of speech attributed to the Friends of God in their interview with Gregory. Apocalyptic inspiration was common at the period, and St. Birgitta of Sweden, and St. Catharine of Siena, were not particularly reticent in their language to the successors of St. Peter.

ards the close of the thirteenth century the transcendent merits of beggary, so long acknowledged, began to be questioned. In 1274 the Council of Lyons endeavored to suppress the unauthorized mendicant associations. In 1286 Honorius IV. condemned the Segarellists, and some ten years later the persecution, by Boniface VIII., of the Celestines and stricter Franciscans showed that poverty was no longer to be regarded as the supreme virtue. About the same time he issued a bull ordering the active persecution of some heretics, whose teaching that perfection required men and women to go naked and not to labor with the hands would seem to identify them with the Brethren of the Free Spirit. The same feeling manifested itself contemporaneously in Germany. The first instance of actual persecution recorded is a curt notice that, in 1290, the Franciscan lector at Colmar caused to be arrested two Beghards and two Beguines, and several others at Basle whom he considered to be heretics. Two years later the Provincial Council of Mainz, held at Aschaffenburg, emphatically repeated the condemnation of the Beghards and Beguines, expressed by the previous council of 1259, and this was again repeated by another council of Mainz in 1310, while other canons regulating the recognized communities of Beguines show that the distinction was clearly drawn between those who led a settled life under supervision and the wandering beggars who preached in caverns and disseminated doctrines little understood, but regarded with suspicion.*

It was Henry von Virnenburg, Archbishop of Cologne, however, who commenced the war against them which was to last so long. Elected in 1306, he immediately assembled a provincial council, of which the first two canons are devoted to them with an amplitude proving how important they were becoming. They wore a long tabard and tunics with cowls distinguishing them from the people at large; they had the hardihood to engage in public disputation with the Franciscans and Dominicans, and the obstinacy to refuse to be overcome in argument, and, what was worse, their persistent beggary was so successful that it sensibly diminished the alms which were the support of the authorized

* Raynald. ann. 1296, No. 34.—Annal. Domin. Colmar. ann. 1290 (Urstisii Germ. Histor. II. 25).—Hartzheim IV. 54, 201.

Mendicants. All this shows the absence of any papal inquisition and an enjoyment of practical toleration unknown outside of the boundaries of Germany, but it may be assumed that the Beghards did not publicly reveal their more dangerous and repulsive doctrines, for the enumeration of their errors by the council presents them in a very moderate form. Still, the archbishop pronounced them excommunicated heretics, to be suppressed by the secular arm unless they recanted within fifteen days. A month was given them to abandon their garments and mode of life, after which they were to earn their bread by honest labor. This was well-intentioned legislation, but it seems to have remained wholly inoperative. The Beghards continued to assail the Mendicants with such ardor and success that the Franciscans, who were crippled by the death of their lector in 1305, applied for succor to their general, Gonsalvo. The necessity must have been pressing, for in 1308 he sent to their assistance the greatest schoolman of the Order, Duns Scotus. He was received with the enthusiasm which his eminence merited, but, unfortunately, he died in November of the same year, and the Beghards were able to continue their proselytism without efficient opposition.*

About this time their missionary labors seem to have become particularly active and to have attracted wide attention. We have seen how, in 1310, the Beguine, Marguerite Porete of Hainault, was burned in Paris, and bore her martyrdom with unshrinking firmness. In the same year occurred the Council of Mainz already referred to, and also a council of Trèves, in which their unauthorized exposition of Scripture was denounced, and all parish priests were required to summon them to abandon their evil ways within a fortnight, under pain of excommunication. In 1309 we hear of certain wandering hypocrites called Lollards, who, throughout Hainault and Brabant, had considerable success in obtaining converts among noble ladies.†

This missionary fervor seems to have attracted attention to the sect, leading to special condemnation under the authority of the

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* Concil. Colon. ann. 1306, c. 1, 2 (Hartzheim IV. 100–2).—Wadding. ann. 1305, No. 12.—Mosheim de Beghardis pp. 232–4.

† Concil. Trevirens. ann. 1310 c. 51 (Martene Thesaur. IV. 250).—Hocsemii Gest. Pontif. Leod. Lib. I. c. 31 (Chapeaville, II. 350).

General Council of Vienne, which was assembled in November, 1311. The heresy had evidently been studied with some care, for the first tolerably complete account which we have of its doctrines is embodied in the canon proscribing it. Bishops and inquisitors were ordered to perform their office diligently in tracking all who entertained it, and seeing that they were duly punished unless they would freely abjure. Unfortunately, Clement's zeal was not satisfied with this. The pious women who lived in communities under the name of Beguines were not easily distinguishable from the heretical wanderers. In another canon, therefore, the Beguinages are described as infected with those who dispute about the Trinity and the Divine Essence and disseminate opinions contrary to the faith. These establishments are therefore abolished. At the same time there was evidently a feeling that this was inflicting a wrong, and the canon ends with the contradictory declaration that faithful women, either vowing chastity or not, may live together in houses and devote themselves to penitence and the service of God. There was a lamentable lack of clearness about this which left it for the local prelates to interpret their duty according to their wishes.*

The Clementines, or book of canon law containing these provisions, was not issued during Clement's life, and it was not until November, 1317, that his successor, John XXII., gave them legal force by their authoritative publication. Apparently the bishops waited for this, for during the interim we hear nothing of persecution, until August, 1317, just before the issue of the Clementines, when John of Zurich, Bishop of Strassburg, suddenly took the matter up. He did not act under the canons of Vienne, but under those of 1310 adopted by the Council of Mainz, of which province he was a suffragan; but an allusion to the penalties decreed by the Holy See shows that the action at Vienne was known. The Beghards apparently had sought no concealment, for he threatened with excommunication all who should not within three days lay aside the distinguishing garments of the sect, and their fearless publicity is further shown by the bishop's confiscating the houses in which their assemblies were held, and forbidding any one to read or listen to or possess their hymns and writings, which

* C. 3, Clement. v. iii.; C. 1, III. xi.

were to be delivered up for burning within fifteen days. The fact that among them were many clerks in holy orders, monks, married folks, and others, shows that their opinions were widely held among those who were not mere wandering beggars—the latter probably being merely the missionaries who made converts and administered to the spiritual needs of the faithful. John of Zurich was not content with merely threatening. He made a visitation of his diocese, in which he found many of the sectaries. He organized an Inquisition of learned theologians, by whom they were tried; those who recanted were sentenced to wear crosses—the first authentic record in Germany of the use of this penance, so long since established elsewhere—and those who were obstinate he handed over to the secular arm to be burned. These active proceedings may be regarded as the first regular exercise of the episcopal Inquisition on German soil. Multitudes of Beghards fled from the diocese, and in June, 1318, the bishop had the satisfaction of reporting his success to his fellow-suffragans and urging them to follow his example. Yet this persecution, if sharp, was transitory, for in 1319 we find him again issuing letters to his clergy, saying that the Clementines had been enforced elsewhere, but not in the diocese of Strassburg. All incumbents are ordered, under pain of suspension, to require the Beguines to lay aside their vestments within fifteen days and to conform to the usages of the Church. If any refuse, the inquisitors will be instructed to inquire into their faith.*

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* Mosheim de Beghardis, pp. 255–61, 268–9.—Haupt, Zeitschrift für K. G. 1885, pp. 561–4.

Many of the decrees of the Council of Vienne were circulated at the time, but Clement, desiring a revision, ordered them to be destroyed or surrendered. After recasting them, they were adopted by a consistory held March 21, 1314, and copies were sent to some of the universities; but Clement's death, on April 20, caused new delay. John XXII. subjected them to another revision, and they were finally published October 25, 1317.—Franz Ehrle, Archiv für Litteratur- u. Kirchengeschichte, 1885, pp. 541–2.

The contradictory character of the provisions concerning the Beguines is doubtless attributable to these repeated revisions.

The manner in which John of Zurich obtained the bishopric of Strassburg is highly illustrative of the methods of the papal curia. On the death of Bishop Frederic, the chapter divided and elected four aspirants, among whom was John of Ochsenstein, a favorite of the Emperor Albert, who, to secure his confirmation,

Meanwhile the publication of the Clementines had produced results not corresponding exactly to the intentions of Clement. The canon directed against the heretics received little attention, and five years elapse before we hear of any serious persecutions under it. The heretics were poor; there were no spoils to tempt episcopal officials to the thankless labor of tracking them and trying them, and few of the bishops had the zeal of John of Zurich to divert them from their temporal cares and pleasures. The Beguinages, however, were an easy prey; there was property to be confiscated in reward of intelligent activity. Besides, many of the establishments were under the supervision of the Mendicant Orders, and were virtually or absolutely Tertiary houses, the destruction of which gratified the inextinguishable jealousy between the secular clergy and the Orders: the struggle between John XXII. and the Franciscans, moreover, was commencing, and the Tertiaries of the latter, who were popularly known as Beguines in France, were fair game. The bishops for the most part, therefore, neglected the saving clause of the canon respecting the Beguinages, and construed literally and pitilessly the orders for their abolition. So eager were they to gratify their vindictiveness against the Mendicants that, when these interfered to save their Tertiaries, they were excommunicated as fautors and defenders of heresy. Thus arose a persecution which, though bloodless, was most deplorable. All through France and Germany and Italy the poor creatures were turned adrift upon the world, without means of support. Those who could, found husbands; many were driven to a life of prostitution, others, doubtless, perished of want and exposure. Even the quasi-conventual dress to which they were accustomed was proscribed, and they were forced to wear gay colors under pain of excommunication. In the history of the Church there have been many more cruel persecutions, but few which in suddenness and extent have caused greater misery, and none, we are safe to say, so wanton, causeless, and lacking even the shadow of justification. The impression made on the popular

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sent to Clement V. his chancellor, John of Zurich, Bishop of Eichstedt, and the Abbot of Pairis. The envoys returned bringing papal briefs, one appointing the chancellor to the contested see, and another filling that of Eichstedt with the abbot.—Closener's Chronik (Chron. der deutschen Städte, VIII. 91).

mind is seen in the current report that on his death-bed Clement bitterly repented of three things—that he had poisoned the Emperor Henry VII. and that he had destroyed the Orders of the Templars and of the Beguines.*

The Church had declared, in the great Council of Lateran, that no congregations should be allowed to exist save under some approved rule. The Beguines had gradually, almost unconsciously, grown up in practical contravention of this canon. The solution of their present difficulties lay in attaching themselves to some recognized Order, and John XXII., in 1319, recognizing the mischief wrought by the heedless legislation of Vienne, promised exemption from further persecution of those who would become Mendicant Tertiaries. Large numbers of them sought this refuge, though their adhesion was more nominal than real. They preserved their self-government, their habits of labor, and their ownership of individual property. In a bull of December 31, 1320, and others of later date, John drew the distinction between those who lived piously and obediently in their houses, and those who wandered around disputing on matters of faith. The former, he is told, amount to two hundred thousand in Germany alone, and he bitterly reproached the bishops who were disturbing them on account of the comparatively small number whose misconduct had drawn forth the misinterpreted condemnation of Clement. They are in future to be left in peace. This, at least, put an end, in 1321, to the persecution of those of Strassburg.†

The innocent Beguines thus obtained a breathing-space, and the gaps in their ranks were soon filled up. The obnoxious members, however, felt the effects of the Clementine canon as severely as the habitual sloth and indifference of the German prelates in such matters would permit. Archbishop Henry, of Cologne, was

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* Guill. Nangiac. Contin. ann. 1317.—Ripoll II. 169.—Wadding. ann. 1319, No. 11; Ejusd. Regest. Johann. PP. XXII. No. 81.—Vitodurani Chron. ann. 1317 (Eccard. Corp. Hist. I. 1785–6).—Chron. Sanpetrin. Erfurt. ann. 1315 (Menken. III. 325).—Chron. Magdeburgens. ann. 1317 (Meibom. Rer. German. II. 337).—Chron. Egmondan. ann. 1317 (Matthæi Analect. IV. 161).—Mosheim de Beghardis, pp. 251, 269.

† Mosheim, pp. 189–90.—Martini Append. ad Mosheim, pp. 630–2, 638–40.—C. 1 Extrav. Commun. III. 9.—Ripoll II. 169–70.—Haupt, Zeitschrift für K. G. 1885, pp. 517, 524.

one of the few who manifested an active interest in the matter, and his exertions were rewarded with considerable success. The Lollards and Beghards no longer ventured to show themselves publicly, and in the absence of organized machinery it was not easy to detect them, but in 1322 the archbishop had the good-fortune to capture the most formidable heresiarch of the region. Walter, known as the Lollard, was a Hollander, and was the most active and successful of the Beghard missionaries. He was not an educated man, and was ignorant of Latin, but he had a keen intelligence and ready eloquence, indefatigable enthusiasm and persuasiveness. His proselyting labors were facilitated by his numerous writings in the vernacular, which were eagerly circulated from hand to hand. He had been busy in Mainz, where he had numerous disciples, and came from there to Cologne, where he chanced to fall into the archbishop's hands. He made no secret of his belief, refused to abjure, and welcomed death in the service of his faith. The severest tortures were vainly employed to force him to reveal the names of his fellow-believers; his constancy was unalterable, and he perished in the flames with serene cheerfulness.*

The episcopal Inquisition was not as efficient as the zeal of the archbishop might wish, but, such as it was, it pursued its labors with indifferent success. In 1323 we hear of a priest detected in heresy, who was duly degraded and burned. In 1325 greater results followed the accidental discovery of an assembly of Beghards. The story told is the legend common to other places, of a husband, whose suspicions were aroused, tracking his wife to the nocturnal conventicle and witnessing the sensual orgies which were popularly believed to be customary in such places. The episcopal Inquisition was rewarded with a large number of culprits, whose trial was speedy and sure. Those who would not abjure, about fifty in number, were put to death—some at the stake, and some drowned in the Rhine, a novel punishment for heresy, which shows how uncertain as yet were the dealings with heretics in Germany. It is quite probable that some of these poor creatures may have sought to shield their errors under the reputation of the great Dominican preacher, Master Eckart, and thus

* Trithem. Chron. Hirsaug. ann. 1322.

brought upon him the prosecution which worried him to death. It is possible, also, that pursuit of this higher game may have diverted the archbishop from the chase of the humbler quarry, for we hear of no further victims in the next few years, though we are told that the heresy was by no means suppressed.*

Archbishop Henry died in 1331 without further success, so far as the records show, and his successor Waleran, Count of Juliers, took up the cause in more systematic fashion. He endeavored to organize a permanent episcopal Inquisition by appointing a commissioner whose duty it was to inquire after heretics, and who had power to reconcile and absolve those who should recant—in fact, an inquisitor under another name. The success of this attempt did not correspond to its deserts. In March, 1335, Waleran was obliged to announce that the evil had greatly increased in both the city and diocese, and he called upon all his prelates and clergy to assist his Inquisition by rigidly enforcing the statutes of Archbishop Henry. This was as ineffective as the previous measures. The heretics were so bold that they openly wore the garments of the sect and followed its practices; nay, more, the inquisitor was either so negligent or so corrupt that he gave absolutions without requiring conformity. In October of the same year, therefore, the archbishop issued another pastoral epistle, in which he pronounced all such absolutions void, and deplored the constant spread of the heresy.†

The zeal of the Archbishops of Cologne was not without imitators. Throughout Westphalia, Bishops Ludwig of Munster, Gottfrid of Osnabruck, Gottfrid of Minden, and Bernhard of Paderborn had been active in eradicating the heresy within their dioceses. In 1335 Bishop Berthold of Strassburg made a spasmodic effort to enforce the Clementines, and in the same year there were some victims burned in Metz. The Magdeburg Archbishop Otto was of more tolerant temper. In 1336 a number of "Brethren of the Lofty Spirit" were detected in his city, who did not hesitate, under examination, to admit their belief, which to

* Gesta Treviror. ann. 1323 (Martene Ampl. Coll. IV. 410).—Chron. Egmondan. (Matthæi Analect. IV. 233-4).—Vitodurani Chron. (Eccard. Corp. Histor. I. 1814-15).

† Hartzheim IV. 436, 438.

pious ears sounded like the most horrible blasphemy; yet he liberated them after a few days' confinement on their simply recanting their errors verbally. In this same year, however, we have the first instance of a papal inquisitor at work in north Germany. Friar Jordan, an Augustinian eremite, held a commission as inquisitor in both sections of Saxony. He was not well versed in the inquisitorial process, for when at Angermünde in the Uckermark he came upon a nest of Luciferans, he humanely offered them the opportunity of canonical purgation. Fourteen of them failed to procure the requisite number of conjurators, and were duly burned. From Angermünde Friar Jordan seems to have hastened to Erfurt, where he was present at the trial of a Beghard named Constantine, though the proceedings were carried on by the vicar of the Archbishop of Mainz. There was no desire to punish the heretic, who bore a good reputation and was useful as a writer of manuscripts. He asserted himself to be the Son of God, and that he would arise three days after death, so there was ample ground for the endeavor humanely made by his judges to prove him insane. A long respite was given him for this purpose, but he persistently declared his sanity, refused all attempts at conversion, and perished in the flames.*

When the effort was made to find heretics there seems to have been plenty of them to reward the search. In this same year, 1336, we hear of the discovery in Austria of a numerous sect who, from the description, were probably Luciferans. The rites of their nocturnal subterranean assemblies bear a considerable resemblance to those revealed by the penitents of Conrad of Marburg, showing how the tradition was handed down to the outbreak of witchcraft. We are told that they had contaminated innumerable souls, but they were exterminated by the free use of the stake and other cruel torments. The next year, in Brandenburg, many simple folk were seduced into demonolatry by three evil spirits who personated the Trinity; and though these were driven off by a Franciscan with the host, the dupes persisted in their error, and preferred burning to recantation. Even divested of its supernatural

* Mosheim de Beghardis, pp. 272, 298–300.—Martini Append. ad Mosheim, p. 537.—Haupt, Zeitschrift für K. G. 1885, p. 534.—Chron. de S. Thiebaut de Metz (Calmet, II. Pr. clxxj.).—Erphurdian. Variloq. ann. 1350 (Menken. II. 507).

embroidery, the heresy, probably Luciferan, must have been one which excited enthusiasm in its followers, for at the place of execution they declared that the flames lighted to consume them were golden chariots to carry them to heaven. Another instance of Luciferanism occurred at Salzburg, in 1340, when a priest named Rudolph, in the cathedral, cast to the ground the cup containing the blood of Christ, a sacrilege which he had previously committed at Halle. Under examination, he denied transubstantiation, and asserted the final salvation of Satan and his angels. He was obstinate to the last, and consequently was burned.*

The Brethren of the Free Spirit had by no means been suppressed. In 1339 three aged heresiarchs of the sect were captured at Constance and tried by the bishop. Disgusting practices of sensuality were proved against them, and they described their abhorrence of the rites of the Church in the most revolting terms. Their constancy held good until they were brought to the place of execution, when it failed them; they recanted, and were sentenced to imprisonment for life in a dungeon on bread and water. In 1342, at Würzburg, two more were forced to recantation. Persecution, however, was spasmodic, and in many places toleration practically existed. Thus, in Suabia, in 1347, we are told that the heresy of the Beghards spread without let or hindrance. It was impossible to eradicate it, even had there been efforts made to suppress it, which there were not, and it would eventually have overturned the Church had there not finally arisen theologians able and willing to combat it.†

About this period flourished Conrad of Montpellier, a canon of Ratisbon, one of the most learned men of the day, who wrote a tract against the sect. In spite of the condemnation uttered by the Council of Vienne, he says it continues to increase and multiply, as there are no prelates found to oppose it. The heretics are mostly ignorant peasants and mechanics, who wander around wearing the distinctive garments of the sect, which are also frequently used as a disguise by Waldenses. They seek hospitality of

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* Vitodurani Chron. (Eccard. Corp. Hist. I. 1833–4, 1839–40).—Dalham Concil. Salisburg. p. 157.

† Vitodurani Chron. (Eccard. I. 1906–7, 1767–8).—Ullman, Reformers before the Reformation, Menzies' Translation, I. 383.

the Beguines, whom they corrupt by persuading them that man, through piety, can become the equal of Christ. At Ratisbon, Conrad met one of these, who was not suffered to enjoy security, for the bishop arrested him, and, on his obstinately maintaining his errors, cast him in a dungeon, where he perished. Another, named John of Mechlin, preached his heresy publicly through upper Germany, where his eloquence gained him crowds of followers, including nobles and ecclesiastics, though Conrad declares that, on arguing with him, he proved to be utterly ignorant. There would appear to have been equal toleration in the Netherlands, for about this period, at Brussels, a woman named Blomaert, who wrote several treatises on the Spirit of Liberty and on Love, was reverenced as something more than human, and when she went to take the Eucharist she was said by her disciples to be attended by two seraphim. She vanquished the most learned theologians, until John of Rysbroek succeeded in confuting her.*

Since the disputed election of Louis of Bavaria, in 1314, the relations between the empire and the papacy had been strained. The victory of Mühldorf, in 1322, which assured to Louis the sovereignty, had been followed, in 1323, by an open rupture with John XXII., after which the strife had been internecine. Each declared his enemy a heretic who had forfeited all rights, and the interdicts which John showered over Germany had been met by Louis with cruel persecution of all ecclesiastics obeying them, wherever he could enforce his power.† Such a state of affairs had not

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* Conrad. de Monte Puellar. contra Begehardos (Mag. Bib. Pat. XIII. 342).—Mosheim de Beghardis p. 307.

† Carl Müller, Der Kampf Ludwigs des Baiern mit der römischen Curie, Tubingen, 1879, I. 234 sqq.

When that bold thinker, Marsiglio of Padua, endeavored, for the benefit of his patron, the Emperor Louis, to introduce into Germany the principles of the Roman jurisprudence which had enabled the French monarchs to triumph over their feudatories and to become independent of the Church, he handled the subject of the persecution of heresy in a manner which has led some writers to regard him as an advocate of toleration. This is an error. It is true that he denies all Scriptural or apostolical authority for the temporal punishment of infractions of the divine law, and asserts that Christ alone is the judge thereof, and his punishments are reserved for the next world, but this is only to serve as a premise

been favorable for the persecution of heresy; it may, partially at least, explain the immunity enjoyed in so many places by heretics, and the impossibility of introducing the Inquisition in any form of general organization. Though the papacy assumed that the imperial throne was vacant, and asserted that, during such vacancy, the government of the empire devolved upon the pope, these pretensions could not practically be made good. With the death of Louis, in 1347, and the recognition of his rival, Charles IV.—the "priest's emperor"—Rome might fairly hope that all obstacles would be removed; that the opposition of the episcopate to the Inquisition would be broken down, and that the field would be open for a persistent and systematic persecution, which would soon relieve Germany of the reproach of toleration. When Clement VI., in 1348, could paternally reprove the young emperor for lack of dignity in the fashion of his garments, which were too short and too tight for his imperial station, the youth could surely be relied upon to obey whatever instructions might be sent him with regard to the suppression of heresy. The same year saw the appointment of John Schandeland, doctor of the Dominican house at Strassburg, as papal inquisitor for all Germany.*

Scarcely, however, had the pope and emperor felt their positions assured, and preparations had been thus made to take advantage of the situation, when a catastrophe supervened which defied all human calculation. The weary fourteenth century was nearing the end of its first half when Europe was scourged with a calamity which might well seem to fulfil all that apocalyptic proph-

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to his conclusion that the persecution of heresy is a matter of human law, to be ordained and enforced by the secular ruler. Though the heretic, he argues, sins against the divine law, he is punished for transgressing a human law; the priest has nothing to do with it, except as an expert to determine the commission of the crime, and has no claim upon the consequent confiscations (Defensor. Pacis P. II. c. ix., x.; P. III. c. ii. Conclus. 3, 30). All this is simply part of his general scheme to exclude the Church from control in secular affairs. Louis was never in a position to give these theories practical effect; they had no influence either on the current of opinion or on the course of events, and are only interesting as an episode in the development of political thought.

* Werunsky Excerpta ex Registris Clement. VI. et Innoc. VI., Innsbruck, 1885, pp. 8, 40, 63.—Schmidt, Päbstliche Urkunden und Regesten, Halle, 1886, p. 383.

ets had threatened of the vengeance of God on the sins of man. In 1347 the plague known as the Black Death invaded Europe from the East, making leisurely progress during 1348 and 1349 through France, Spain, Hungary, Germany, and England. No corner of Europe was spared, and on the high seas it is said that vessels with rich cargoes were found floating, of which the crews had perished to the last man. Doubtless there are exaggerations in the contemporary reports which assert that two thirds or three quarters or five sixths of the inhabitants of Europe fell victims to the pest; but Boccaccio, as an eye-witness, tells us that the mortality within the walls of Florence from March to July, 1348, amounted to one hundred thousand souls; that in the fields the harvests lay ungathered; that in the city palaces were tenantless and unguarded; that parents forsook children and children parents. In Avignon the mortality was estimated at one hundred thousand; Clement VI. shut himself up in his apartments in the sacred palace, where he built large fires to ward off the pestilence, and would allow none to approach him. In Paris fifty thousand were said to have perished; in St. Denis sixteen thousand; in Strassburg sixteen thousand. That these figures, though vague, are not improbable, is shown by the case of Béziers, where, in 1348, Mascaro, who was chosen *escudier* to fill a vacancy, records in his diary that all the consuls were carried off, all their *escudiers* or assistants, and all the *clavars* or tax-collectors, and that out of every thousand inhabitants only a hundred escaped. As though Nature did not cause sufficient misery, man contributed his share by an uprising against the Jews. They were accused of causing the plague by poisoning the waters and the pastures, and the blind wrath of the population did not stop to consider that they drank from the same wells as the Christians, and suffered with them in the pestilence. From the Atlantic to Hungary they were tortured and slain with sword and fire. At Erfurt three thousand are said to have perished, and in Bavaria the number was computed at twelve thousand.*

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* Boccaccio, Decamerone, Giorn. I—Alberti Argentinens. Chron. ann. 1348-9 (Urstisius, II. 147). — Trithem. Chron. Hirsaug. ann. 1248. — Aventinus, Annal. Boiorum Lib. VII. c. 20.—Grandes Chroniques V. 485-6.—Guillel. Nangiac. Contin. ann. 1348-9.—Froissart, Lib. I. P. ii. ch. 5.—Meyeri Annal. Flandr. ann.

It was not only by the massacre of the Jews that the people sought to placate the wrath of God. The gregarious enthusiasm of which we have seen so many instances was by no means extinct. In 1320 France had seen another assemblage of the Pastoureaux, when the dumb population arose, armed only with banners, for the conquest of the Holy Land, and an innumerable multitude wandered over the land, peaceably at first, but subsequently showing their devotion by attacking the Jews, and finally manifesting their antagonism to the hierarchy by plundering the ecclesiastics and the churches, until they were dispersed with the sword and put out of the way with the halter. In 1334 the great Dominican preacher, Venturino da Bergamo, roused the population of Lombardy to so keen a sense of the necessity of propitiating God that he organized a pilgrimage to Rome for the sake of obtaining pardons, variously estimated as consisting of from ten thousand to three millions of penitents. Clothed in white, with black cloaks

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1349.—Henrici Rebdorff. Chron. ann. 1347.—Alberti Argent. de Gestis Bertold. (Urstisius, II. 177).—Mascaro, Memorias de Bezes, ann. 1348.—Gesta Treviror. ann. 1349.—Chron. Cornel. Zantfliet (Martene Ampl. Coll. V. 253–4).—Erphurd. Variloq. ann. 1348–9 (Menken. II. 506–7).

Accusations such as were brought against the Jews were no new thing. In 1321 all the lepers throughout Languedoc were burned on the charge that they had been bribed by the Jews to poison the wells. Doubtless torture was employed to obtain the confessions which were freely made. The story went that the King of Granada, finding himself hard pressed by the Christians, gave great sums to leading Jews to effect in this way the desolation of Christendom. The Jews, fearing that they would be suspected, employed the lepers. Four great councils of lepers were held in various parts of Europe, where every lazar-house was represented except two in England; there the attempt was resolved upon, and the poison was distributed. King Philippe le Long was in Poitou at the time; when the news was brought him he returned precipitately to Paris, whence he issued orders for the seizure of all the lepers of the kingdom. Numbers of them were burned, as well as Jews. At the royal castle of Chinon, near Tours, an immense trench was dug, and filled with blazing wood, where, in a single day, one hundred and sixty Jews were burned. Many of them, of either sex, sang gayly as though going to a wedding, and leaped into the flames, while mothers cast in their children for fear that they would be taken and baptized by the Christians present. The royal treasury is said to have acquired one hundred and fifty thousand livres from the property of Jews burned and exiled.—Guillel. Nangiac. Contin. ann. 1321.—Grandes Chroniques V. 245–51.—Chron. Cornel. Zantfliet. ann. 1321.

bearing on one side a white dove and olive-branch, and on the other a white cross, they marched peaceably in bands to the holy city, though when Venturino went to John XXII., in Avignon, to get the pardons for his followers, he was accused of heresy, and had to undergo a trial by the Inquisition.*

Such being the popular tendencies of the age, it is no wonder that the profound emotions caused by the fearful scourge of the Black Death found relief in a gregarious outburst of penitence. Germany had suffered less than the rest of Europe, only one fourth of the population being estimated as perishing, but the religious sensibilities of the people had been stirred by the interdicts against Louis of Bavaria, and the pestilence had been preceded by earthquakes, which were portents of horror. It well might seem that God, wearied with man's wickedness, was about to put an end to the human race, and that only some extraordinary effort of propitiation could avert his wrath. In this state of mental tension it needed but a touch to send an impulse through the whole population. Suddenly, in the spring of 1349, the land was covered with bands of Flagellants, like those whom we have seen nearly a century before, expiating their sins by public scourging. Some said that the example was set in Hungary; others attributed it to different places, but it responded so thoroughly to the vague longings of the people, and it spread so rapidly, that it seemed to be the result of a universal consentaneous impulse. All the proceedings, at least at first, were conducted decently and in order. The Flagellants marched in bands of moderate size, each under a leader and two lieutenants. Beggary was strictly

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* Amalr. Augerii Hist. Pontif. Roman. ann. 1320 (Muratori, S. R. I. III. II. 475.—Johann. S. Victor. Chron. ann. 1320 (Ib. p. 485).—Chron. Anon. ann. 1330 (Ib. p. 499).—Pet. de Herentals ann. 1320 (Ib. p. 500).—Guillel. Nangiac. Contin. ann. 1320.—Grandes Chroniques, V. 245-6.—Cronaca di Firenze ann. 1335 (Baluz. et Mansi IV. 114).—Villani, Lib. XI. c. 23.—Lami, Antichità Tosc·ne, p. 617.

Venturino was acquitted of the charge of heresy, but his free speech offended the pope; he was forbidden to preach or hear confessions, and was sentenced to live in retirement at Frisacca, in the mountains of Ricondona (Villani l. c.). He died in 1346, at Smyrna, whither he had gone as a missionary. He had preached with wonderful success in all the countries of Europe, including Spain, England, and Greece. His face, when preaching, shone with celestial light, and his miracles were numerous (Raynald. ann. 1346, No. 70).

prohibited, and no one was admitted to fellowship who would not promise obedience to the captain, and who had not money to defray his own expenses, estimated at four pfennige per diem, though the hospitality universally offered in the towns through which they passed was freely accepted to the extent of lodging and meals; but two nights were never to be spent in the same place. Monks and priests, nobles and peasants, women and children were marshalled together in common contrition to placate an offended God. They chanted rude hymns—

> "Nü tretent herzu die bussen wellen.
> Fliehen wir die heissen hellen.
> Lucifer ist ein bose geselle," etc.—

and scourged themselves at stated times, the men stripping to the waist and using a scourge knotted with four iron points, so lustily laid on that an eye-witness says that he had seen two jerks requisite to disengage the point from the flesh. They taught that this exercise, continued for thirty-three days and a half, washed from the soul all taint of sin, and rendered the penitent pure as at birth.

From Poland to the Rhine the processions of Flagellants met with little opposition, except in a few towns, such as Erfurt, where the magistrates prohibited their entrance, and in the province of Magdeburg, where Archbishop Otho suppressed them. They spread through Holland and Flanders, but when they invaded France, Philippe de Valois interfered, and they penetrated no farther than Troyes. The guardians of public order, indeed, could not look without dread upon such a popular demonstration, which by organization might become dangerous. When the Flagellants of Strassburg proposed to form a permanent confraternity, Charles IV., who was in that city, peremptorily forbade it. Already dangerous characters were attracted to the wandering bands; in many places their zeal had led to the merciless persecution of the Jews, and there were not lacking symptoms of a significant antagonism to the Church, manifesting itself in attacks upon ecclesiastics and clerical property. The Church, in fact, looked askance upon a religious manifestation not of her prescription, and her susceptibilities were not soothed by the daily reading, amid the flagellation, of a letter brought by an angel to the Church of St.

Peter, in Jerusalem, relating that God, incensed at the non-observance of Sundays and Fridays, had scourged Christendom, and would have destroyed the world but for the intercession of the angels and the Virgin. This was accompanied by a message that general flagellation for thirty-three and a half days would cause him to lay aside his wrath. There was danger, indeed, of open antagonism and insubordination. The Mendicants, who endeavored to discourage this independent popular penitence, incurred the bitterest hostility, which had no scruple in finding expression. At Tournay the orator of the Flagellants denounced them as scorpions and antichrists, and on the borders of Misnia two Dominicans, who endeavored to reason with a band of Flagellants, were set upon with stones; one had sufficient agility to escape, but the other was lapidated to death.*

When in Basle about a hundred of the principal citizens organized themselves into a confraternity, and made a flagellating pilgrimage to Avignon, they excited great admiration among the citizens, and most of the cardinals were disposed to think highly of the new penitential discipline. Clement VI. penetrated deeper below the surface, and recognized the danger to the Church of allowing irregular and independent manifestations of zeal, and of permitting unauthorized associations and congregations to form themselves. Moreover, what was to become of the most serviceable and profitable function of the Holy See in administering the treasures of salvation, if men could cleanse themselves of sin by self-prescribed and self-inflicted penance? The movement bore within it the germ of revolution, as threatening and as dangerous as that of the Poor Men of Lyons, or of any of the sects which had thus far been successfully combated, and self-preservation required its prompt suppression at any cost. From the standpoint of worldly wisdom this reasoning was unanswerable, but members

* Erphurdian. Variloq. ann. 1349.—Chron. Magdeburgens. ann. 1348 (Meibom. Rer. German. II. 342).—Alberti Argentinens. Chron. ann. 1349.—Closener's Chronik (Chron. der deutschen Städte, VIII. 105 sqq.).—Trithem. Chron. Hirsaug. ann. 1348.—Hermann. Corneri Chron. ann. 1350.—Guillel. Nangiac. Contin. ann. 1349.—Grandes Chroniques, V. 492-3.—Froissart, Liv. I. P. II. ch. 5.—Gesta Treviror. ann. 1349.—Meyeri Annal. Flandriæ ann. 1349.—Chron. Ægid. Li Muisis (De Smet, Corp. Chron. Flandr. II. 349-51).—Henr. Rebdorff. Annal. ann. 1347.

of the Sacred College were obstinate. They prevailed upon Clement not to execute his first intention of casting the Flagellants into prison, and the discussion on the policy to be pursued must have been protracted, for it was not until October 20, 1349, that the papal bull of condemnation was issued. This took the ground that it was a disregard of the power of the keys and a contempt of Church discipline for these new and unauthorized associations to wear distinctive garments, to form assemblies governed by self-dictated statutes, and performing acts contrary to received observances. Allusion was made to the cruelties exercised on the Jews, and the invasion of ecclesiastical property and jurisdiction. All prelates were ordered to suppress them forthwith; those who refused obedience were to be imprisoned until further orders, and the aid of the secular arm was to be called upon if necessary.*

Clement was correct in his anticipation of the effects of the new discipline on the minds of the faithful. When the subject came up for discussion at the Council of Constance, in 1417, and San Vicente Ferrer was inclined to regard it with favor, his lofty reputation and his services in procuring the abandonment of Peter of Luna (Benedict XIII.) by Spain rendered it impossible not to treat him with respect, but Gerson took him delicately to task and wrote a tract to show the evils resulting from the practice. Experience, he said, had shown that the members of the sect of Flagellants were led to look with contempt on sacramental confession and the sacrament of penitence, for they exalted their peculiar form of penance, not only over that prescribed by the Church, but even over martyrdom, because they shed their own blood, while the blood of martyrs was shed by others. This led directly to insubordination and to destroying the reverence due to the Church, and was the fruitful parent of heresy. From some of his allusions, indeed, we may gather that it frequently caused collisions between the people and the priesthood, in which the latter were apt to be roughly handled.†

This shows how inefficient had been Clement's prohibition, and how obstinately the practice had maintained itself until it had

* Alberti Argentinens. Chron. ann. 1349.—Trithem. Chron. Hirsaug. ann. 1348.

† Von der Hardt. T. III. pp. 95–105.

risen to the rank of a new heresy. When his bull was received by the German prelates they fully comprehended the dangers which it sought to avert, and addressed themselves vigorously to its enforcement. The Flagellants were denounced from the pulpit as an impious sect, condemned by the Holy See. Those who would humbly return to the Church would be received to mercy, while the obdurate would be made to experience the full rigor of the canons. This thinned the ranks considerably, but there were enough of persistent ones to furnish a new harvest of martyrs. Many were executed, or exposed to various forms of torment, and not a few rotted to death in the dungeons in which they were thrown. Even ecclesiastics could not be prevented from adhering to the obnoxious sect. William of Gennep, Archbishop of Cologne, in a provincial council excommunicated all clerks who joined the Flagellants; yet this was so completely disregarded that in his vernal synod of 1353 he was obliged to order all deans and rectors of churches to assemble their chapters, read his letters, and make provision for the public excommunication by name of all the disobedient, to be followed within a fortnight by their suspension. We shall see hereafter with what persistent obstinacy the outbreak of flagellation recurred from time to time, and how it was regarded as heresy, pure and simple, by the Church. Meanwhile, it is not to be doubted that the Brethren of the Free Spirit took full advantage of the excitement prevailing in men's minds, and of the upturning which resulted, both spiritually and socially. When the bands of Flagellants first made their appearance they were joined in many places, we are told, by the heretics known as Lollards, Beghards, and Cellites. Involved in common persecution, they grew to have common interests, and they became too intimately associated together not to lend each other mutual support.*

Thus far the faith had not gained the advantage which had naturally been expected to follow the undisputed domination of the pious Charles IV. At the end of 1352 Innocent VI. ascended the papal throne and promptly repeated the attempt to introduce the papal Inquisition in Germany by renewing, in July, 1353, the com-

* Trithem. Chron. Hirsaug. ann. 1348.—Hartzheim IV. 471-2.—Meyeri Ann. Flandr. ann. 1349.

mission as inquisitor of Friar John Schandeland, and writing earnestly to the German prelates to lend him all assistance. The pestiferous madness of the Beghards, he said, was blazing forth afresh, and efforts were requisite for its suppression. As in their dioceses the Inquisition had no prisons of its own, they were required to give it the free use of the episcopal jails. We are told in general terms that Friar John was energetic and successful, but no records remain to prove his activity or its results, and it is fair to conclude that the bishops, as usual, gave him the cold shoulder. There is no proof even that he was concerned in the condemnation of the Beghard heresiarch Berthold von Rohrback, who in 1356 expiated his heresy in the flames. Berthold had previously been caught in Würzburg, and had recanted through dread of the stake. He ought to have been imprisoned for life, but the German spiritual courts, as usual, were unversed in the penalties for heresy, and he was allowed to go free, when he secretly made his way to Speier. There he was successful in propagating his doctrines until he was again arrested. As a relapsed heretic, under the rules of the Inquisition, there was no mercy for him, but the rules were imperfectly understood in Germany, and again he was treated more leniently than the canons allowed, and was offered reconciliation. This time his courage did not fail him. "My faith," he said, "is the gift of God, and I neither ought nor wish to reject his grace." That Innocent's attempt to introduce the Inquisition proved a failure may be gathered from the action of William of Gennep, in his vernal synod of Cologne in 1357. While deploring the increase of the pernicious sect of Beghards, which threatens to infect his whole city and diocese, he makes no allusion whatever to the papal Inquisition and the canons. The measures of his predecessors are referred to, in accordance with which all parish priests are directed to proceed against the heretics, under threat of prosecution for remissness, and excommunication is pronounced against those who aid the Beghards with alms.*

Undeterred by ill-success the effort was renewed. From a MS. sentence of June 6, 1366, printed by Mosheim, we learn that the Dominican, Henry de Agro, was at that time commissioned as

* Raynald, ann. 1353, No. 26, 27.—Trithem. Chron. Hirsaug. ann. 1356.—Naucleri Chron. ann. 1356.—Hartzheim IV. 483.

inquisitor of the province of Mainz and the diocese of Bamberg and Basle, the latter of which belonged to the province of Besançon. He was conducting an active inquisition in the diocese of Strassburg, whose bishop, John of Luxembourg, had gratified episcopal jealousy by not allowing him to perform his office independently, but had adjoined to him his vicar, Tristram, who acted in the matter not simply as representing the bishop in the sentence, but as co-inquisitor. According to the rules of the Inquisition, the judgment was rendered in an assembly of experts. The victim in this case was a woman, Metza von Westhoven, a Beguine, who had been tried and who had abjured in the persecution under Bishop John of Zurich, nearly half a century before. As a relapsed heretic there was no pardon for her, and she was duly relaxed.*

Thus far whatever hopes might have been based upon the zeal of Charles IV. had not been realized. He seems to have taken no part in the efforts of the papacy, and without the imperial exequatur the commissions issued to inquisitors had but moderate chance of enjoying the respect and obedience of the prelates. In 1367 Urban V. returned to the work by commissioning two inquisitors for Germany, the Dominicans Louis of Willenberg and Walter Kerlinger, with powers to appoint vicars. The Beghards were the only heretics alluded to as the object of their labors; prelates and magistrates were ordered to lend their efficient assistance and to place all prisons at their disposal until the German Inquisition should have such places of its own. This was the most comprehensive measure as yet taken for the organization of the Holy Office in Germany, and it proved the entering wedge, though at first Charles IV. does not seem to have responded. The choice of inquisitors was shrewd. Of Friar Louis we hear little, but Friar Walter (variously named Kerling, Kerlinger, Krelinger, and Keslinger) was a man of influence, a chaplain and favorite of the emperor, who had the temper of a persecutor and the opportunity and ambition to magnify his office. In 1369 he became Dominican Provincial of Saxony, and continued to perform the duplicate functions until his death, in 1373. He lost no time in getting to work, for in 1368 we hear of a Beghard burned in Erfurt, and

* Mosheim de Beghardis, pp. 333–4.

to his unwearied exertions is generally attributed the temporary suppression of the sect.*

Still there was at first no appearance of any hearty support from either the spiritual or temporal potentates of Germany, and without this the business of persecution could only languish. When, however, the emperor made his Italian expedition, in 1368, the opportunity was utilized to arouse him to a sense of his neglected duties. It was rare indeed for an emperor to have the cordial support of the papacy, and we may reasonably assume that Charles was made to see that through their union the Inquisition might be rendered serviceable to both in breaking down the independence of the great prince-bishops. Thus it happened that when that institution was falling into desuetude in the lands of its birth, it was for the first time regularly organized in Germany and given a substantive existence. From Lucca, on June 9 and 10, 1369, the emperor issued two edicts which excel all previous legislation in the unexampled support accorded to inquisitors—the extravagance of their provisions probably furnishing a measure of the opposition to be overcome. All prelates, princes, and magistrates are ordered to expel and treat as outlaws the sect of Beghards and Beguines, commonly known as *Wilge Armen* or *Conventschwestern*, who beg with the vainly prohibited formula "*Brod durch Gott!*" At the command of Walter Kerlinger and his vicars or other inquisitors, all who give alms to the proscribed class shall be arrested and so punished as to serve as a terror to others. With special significance the prelates are addressed and commanded to use their powers for the extermination of heresy; in the strongest language, and under threats of condign punishment to be visited on them in person and on their temporalities, they are ordered to obey with zeal the commands of Friar Kerlinger, his vicars, and all other inquisitors as to the arrest and safekeeping of heretics; they are to render all possible aid to the inquisitors, to receive and treat them kindly and courteously, and furnish them with guards in their movements. Moreover, all inquisitors are taken under the special imperial favor and protection. All the powers, privileges, liberties, and immunities granted to them by preceding emperors or by the

* Mosheim de Beghardis, pp. 335–7.—Chron. Magdeburg. (Leibnitii Scriptt. R. Brunsv. III. 749).—Herm. Korneri Chron. (Eccard. II. 1113).—Cat. Prædic. Prov. Saxon. (Martene Ampl. Coll. VI. 344).—Böhmer, Regest. Karl IV. No. 4761.

rulers of any other land are conferred upon them, and confirmed, notwithstanding any laws or customs to the contrary. To enforce these privileges, two dukes (Saxony and Brunswick), two counts (Schwartzenberg and Nassau), and two knights (Hanstein and Witzeleyeven) are appointed conservators and guardians, with instructions to act whenever complaint is made to them by the inquisitors. They shall see that one third of the confiscations of heretic Beghards and Beguines are handed over to the Inquisition, and shall proceed directly and fearlessly, without appeal, against any one impeding or molesting it in any manner, making examples of them, both in person and property. Any contravention of the edict shall entail a mulct of one hundred marks, one half payable to the fisc and one half to the party injured. Besides this, any one impeding or molesting any of the inquisitors or their agents, directly or indirectly, openly or secretly, is declared punishable with confiscation of all property for the benefit of the imperial treasury, and deprivation of all honors, dignities, privileges, and immunities.*

These portentous edicts provided for the *personnel* of the Inquisition and the exercise of its powers, but to render it a permanent institution there were still lacking houses in which it could hold its tribunals, and prisons in which to keep its captives. The imperial resources were not adequate to this, and nothing was to be expected from the piety of princes and prelates. Somebody must be despoiled for its benefit—somebody too defenceless to resist, yet possessed of property sufficient to be tempting. These conditions were exactly filled by the orthodox Beghards and Beguines, who, since their temporary persecution after the publication of the Clementines, had continued to prosper and to enjoy the donations of the pious. They were accordingly marked as the victims, and, a week after the issue of the edicts just described, another was published in which these poor creatures are described as cultivating a sacrilegious poverty, which they assert to be the most perfect form of life, and their communities, if left undisturbed, will become seminaries of error. Moreover, the Inquisition has no house, domicile, or strong tower for the detention of the accused and for the perpetual incarceration of those who abjure, whereby

* Mosheim de Beghardis pp. 343-55.

many heretics remain unpunished and the seed of evil is scattered. Therefore the houses of the Beghards are given to the Inquisition to be converted into prisons; those of the Beguines are ordered to be sold and the proceeds divided into thirds, one part being assigned to repairing roads and the walls of the towns, another to be given to inquisitors, to be expended on pious uses, among which is included the maintenance of prisoners. But three days' notice is given to the victims prior to expulsion from their homes.*

If the Inquisition could have been permanently established in Germany this unscrupulous measure would have accomplished the object. What between the imperial favor and Kerlinger's energy it at last had a fair start. The last edict alludes to two additional inquisitors whom Kerlinger was authorized to appoint and to his successful labors, by which the heretic Brethren of the Free Spirit had been completely destroyed in the provinces of Magdeburg and Bremen, and in Thuringia, Hesse, Saxony, and elsewhere. Probably this is exaggerated, but we learn from other sources that Kerlinger was zealously active and that his labors were rewarded with success. In Magdeburg and Erfurt he burned a number of heretics and forced the rest to outward conformity or to flight. We hear of him at Nordhausen in 1369, where he captured forty Beghards; of these seven were obdurate and were burned, and the rest abjured and accepted penance. This is probably a fair example of his work, and we may believe Gregory XI. when, in 1372, he says that the Inquisition had destroyed heresy and heretics in the central provinces and driven them to the outlying districts of Brabant, Holland, Stettin, Breslau, and Silesia, where they are gathered in such multitudes that they hope to be able to maintain themselves; wherefore he earnestly calls upon the prelates and nobles to bring the good work to an end by efficiently supporting the Holy Office in its final labors. Apparently Kerlinger had not been anxious to divide his authority by exercising his power to appoint two additional colleagues, and Gregory now intervened to relieve him of this duty and place the German Inquisition on a

* Mosheim de Beghardis pp. 356–62.—Mosheim suggests that the distinction between the houses of the Beghards and the Beguines probably arose from the former being larger and situated in the cities, the latter smaller, more numerous, and scattered among the towns and villages.

permanent footing by assimilating its organization to that of the institution elsewhere. He increased the number of inquisitors to five and placed their appointment and removal in the hands of the Dominican master and provincial, or either of them. Kerlinger and Louis, however, were to remain as two of the five, and no power, whether imperial or episcopal, should have authority to interfere with the free exercise of their functions.*

A further extension of the power of the Inquisition granted by Charles IV. was of no great importance at the time, but has the highest interest to us as the first indication of what was to come. A leading feature of the Beghard propaganda was the circulation among the laity of written tracts and devotional works. Composed in the vernacular, they reached a class which was not wholly illiterate and yet was unable to profit by the orthodox works of which Latin was the customary vehicle. For the suppression of this effective method of missionary work the Inquisition was intrusted with a censorship of literature, to which further reference will be made hereafter. Less interesting to us, but probably more important at the time, was the permission granted to the inquisitors to appoint notaries. It will be remembered how jealously these appointments were guarded, and this concession was evidently looked upon as a special favor. The inquisitors apparently had been trammelled by the lack of notaries, and they were now authorized to appoint one in each diocese, and to replace him when removed by death or disability.†

As regards the seizure of the Beguinages, it was ruthlessly carried out by Kerlinger. Those of Muhlhausen had been very flourishing, and on February 16, 1370, four of them were delivered by him to the magistrates to be converted to public uses—probably the city's share of the plunder. It would seem, however, that obstacles were thrown in his way. The jealousy of the bishops was not likely to look with favor upon this permanent establishment of the Inquisition in their dioceses, with prisons and landed property that would render it independent. Mosheim

* Chron. Magdeburg. (Leibnitii S. R. Brunsv. III. 749).—Herm. Corneri Chron. (Eccard. Corp. Hist. II. 1113-4).—Raynald. ann. 1372, No. 34.—Ripoll II. 275.—Mosheim de Beghardis pp. 380-3.

† Mosheim de Beghardis pp. 368-74, 378-9.—Bohmer, Regest. Karl. IV. No. 4761.

judiciously suggests that as these houses were benevolent gifts for pious uses the bishops could assert them to be under their jurisdiction and not subject to an imperial edict; nobles and citizens, moreover, had been trained to regard their inoffensive inmates with favor, and were not eager to share in the spoils. Whatever may have been their motives, Kerlinger could not have found the way open to the general confiscation that he desired. In 1371 he was obliged to petition Gregory XI., reciting the existence of heretics called Beghards and Beguines, and the imperial edict confiscating their conventicles, the confirmation of which he desired. There was nothing to lead Gregory to suppose that there was in this anything but the well-understood confiscation of heretical property, and he willingly gave the desired confirmation.*

Thus, after a desultory struggle lasting for nearly a century and a half, the Inquisition finally established itself in Germany as an organized body. For a while, at least, the office of inquisitor was kept regularly filled as vacancies occurred. When Kerlinger died, in 1373, his successor in the Provincialate of Saxony, Hermann Hetstede, is qualified as being an inquisitor, and the same title is given to Henry Albert, who followed Hetstede in 1376. The Holy Officé seems to have been almost exclusively in Dominican hands, and we rarely hear of its functions as performed by Franciscans. The good work proceeded apace. In 1372 Kerlinger had a heretic of higher rank than usual to deal with in the person of Albert, Bishop of Halberstadt, who publicly taught fatalistic doctrines—possibly some form of predestination such as Wickliff was commencing to formulate. This resulted in a great decrease in pious works, for it struck at the root of the invocation of saints, masses for the dead, and liberality to the clergy, and the consequences threatened to be so serious that Gregory XI. ordered Kerlinger, together with Hervord, Provost of Erfurt, and an Augustinian named Rodolph, to force the bishop to an abjuration, and in case of disobedience to transmit him to the papal court for judgment. In the same year Gregory recounts with much satisfaction the success of the inquisitors in driving the Beg-

* Mosheim de Beghardis pp. 364–66.—Martini Append. ad Mosheim pp. 541–2.

hards out of central and northern Germany; he stimulated the emperor to support their labors with fresh zeal, and sent encyclicals to the princes, prelates, and magistrates, commanding them to use every effort to render the work complete, by exterminating the heretics in the regions where they had taken refuge. Early in the next year he commissioned the Dominican, John of Boland, an imperial chaplain, as inquisitor in the dioceses of Trèves, Cologne, and Liège, the Beghards and Beguines being the objects specially indicated; and Charles hastened to invest him with all the powers specified in his letters of 1369, ordering the Dukes of Luxembourg, Limburg, Brabant, and Juliers, the Princes of Mons and Cleves, and the Counts of La Marck, Kirchberg, and Spanheim to serve as conservators and guardians of the edict.*

Although the Brethren of the Free Spirit were the chief objects of all this inquisitorial activity, the Flagellants were not neglected. In 1361 a demonstration of these enthusiasts in far-off Naples awakened the solicitude of Innocent VI. In 1369 we hear of an outbreak of women coming from Hungary, which was summarily suppressed in Saxony. In 1372 Flagellants reappeared in various parts of Germany, asserting the peculiar efficacy of their penance as replacing the sacraments of the Church, so that Gregory XI. felt it necessary to direct the inquisitors to exterminate them. In 1373 and 1374 this irrepressible tendency took a new shape, known as the Dancing Mania, which broke out at the consecration of a church in Aix-la-Chapelle. Bands of both sexes, mostly consisting of poor and simple folk, poured into Flanders from the Rhinelands, dancing and singing as though possessed by the Furies. Under intense spiritual excitement the performer would leap and dance until he fell to earth with convulsions, when his comrades would revive him by jumping upon him, or a cloth which he wore, tied around the belly, would be tightly twisted with a stick. This was generally looked upon as a kind of demoniacal possession until a multitude of these dancers assembled at Herestal and consulted together as to the best plan for slaying all the priests, canons, and clergy of Liège, when the madness was

* Cat. Prædic. Prov. Saxon. (Martene Ampl. Coll. VI. 344).—Raynald. ann. 1372, No. 33, 34.—Mosheim de Beghardis pp. 388-92.—Martini Append. ad Mosheim pp. 647-8.

recognized as no longer harmless. Still it spread over a large portion of Germany and lasted for several years. Though not in itself a heresy, it led in some places to heretical opinions on the sacraments, for it was popularly explained by attributing it to defective baptism, caused by the universal practice among priests of keeping concubines.*

Scarce had the Inquisition been fairly organized and had settled to its work, when its arbitrary proceedings awakened active opposition. As the heretic Beghards and Beguines were the principal objects of its activity, and the orthodox ones of its cupidity, the sufferings of the latter speedily awoke compassion which found expression in terms so decided that Gregory XI. could not refuse to listen. Accordingly, in April, 1374, he wrote to the Archbishops of Mainz, Trèves, and Cologne, reciting these complaints and ordering a report about the life and conversation of the persons concerned, who should be protected and cherished if innocent, and be punished if guilty. At least from Cologne and Worms, probably from the other prelates, came answers that the persecuted communities were composed of faithful Catholics. In Cologne the magistrates intervened and complained energetically to the pope that a Dominican inquisitor was vexing the poor folk, and they asked that his proceedings be stopped. The victims, they said, were people of little culture, who were interrogated with questions so difficult that the most skilful theologians could scarce answer them, while their edifying lives had led the clergy to protect them against the threats of the Inquisition. Proceedings were thus checked, but still the peculiar garments which the devotees had always worn furnished an excuse for continued persecution, and another appeal was made to Gregory, to which he responded in December, 1377, by ordering the prelates not to permit their molestation on this account so long as they were good Catholics and obedient to the ecclesiastical authorities. The German bishops were thus fully armed with papal authority to restrict the operations of the inquisitors, and those who, like Bishop Lambert

* Martene Thesaur. II. 960-1.—Chron. Cornel. Zantfliet (Martene Ampl. Coll. V. 293, 301-2).—Raynald. ann. 1372, No. 33.—Meyeri Annal. Flandriæ ann. 1373.—Mag. Chron. Belgic. ann. 1374.—Trithem. Chron. Hirsaug. ann. 1374.—P. de Herentals Vit. Gregor. XI. ann. 1375 (Muratori S. R. I. III. ii. 674-5).

of Strassburg, were themselves disposed to persecution, did not dare to proceed further. The regular communities of Beghards and Beguines were assured of toleration, and if the heretical Brethren of the Free Spirit managed to share in this immunity, it probably did not give the prelates much concern.*

All this was discouraging to the zeal of inquisitors whose institution had hardly yet taken root in the land, but worse was still to follow. In 1378 died both Gregory XI. and Charles IV. The election of Urban VI. gave rise to the Great Schism, and Wenceslas, the son and successor of Charles, was notoriously indifferent to the interest of religion as represented by the Church. Thus deprived of its two indispensable supporters, the Inquisition could not make head against episcopal jealousy. In 1381 there could have been no inquisitors in the extensive dioceses of Ratisbon, Bamberg, and Misnia, for we find the Archbishop of Prague as papal legate ordering the bishops to appoint them, and threatening to do so himself in case of disobedience. Still the Inquisition did not entirely pretermit its labors. In 1392 we hear of a papal inquisitor named Martin who travelled through Suabia to Würzburg, finding in the latter place a number of peasants and simple folk belonging to the sect of Flagellants and Beghards. They had not in them the stuff of martyrs, and accepted the penance imposed upon them of joining in a crusade then preaching against the Turks—the first time for nearly a century that we meet with this penalty. Then Martin went to Erfurt—always a heretical centre—where he came upon numerous heretics of the same kind. Some of these were obstinate and were duly burned, others accepted penance, and the rest sought safety in flight. The following year there was burned at Cologne, by the papal inquisitor, Albert, a leading Beghard known as Martin of Mainz, a former Benedictine monk and a disciple of the celebrated Nicholas of Basle; and in his trial there are allusions to others of the sect executed not long before at Heidelberg.†

About this period, after a long interval, we again become cog-

* Mosheim de Beghardis pp. 394–8.—Haupt, Zeitschrift für K. G. 1885, pp. 525–6, 553–4, 563–4.—Hæmmerlin Glosa quarumd. Bullar. per Beghardos impetratar. (Basil. 1497, c. 4 sqq.).

† Höfler, Prager Concilien, pp. 26–7.—Trithem. Chron. Hirsaug. ann. 1392.—Jundt, Les Amis de Dieu, p. 3.—Haupt, ubi sup. p. 510.

nizant of the existence of Waldenses. The Beghards had succeeded in concentrating upon themselves the attention of the papal and episcopal inquisitions, and the followers of Peter Waldo had remained unnoticed, doubtless owing their safety to outward conformity, though by absenting themselves from their parishes about the Easter tide they sometimes managed to escape taking communion for five or six years in succession. Thus laboring quietly and peacefully, preaching by night in cellars, mills, stables, and other retired places, they gained numerous converts among the peasants and artisans, who saw in the sanctity of their lives, as sadly admitted by the so-called Peter of Pilichdorf, the strongest contrast with the scandalous license of the clergy.* Thus they multiplied in secret until all Germany was full of them, including the closely-related sect of Winkelers. About 1390 they were discovered in Mainz, where for a hundred years they had lurked undisturbed. The Archbishop, Conrad II., kept the matter in his

* There has recently been discovered at St. Florian, in Austria, an epistle written in 1368 by the Waldenses of Lombardy to some of their German brethren on the occasion of the withdrawal of certain members of the sect, who alleged in justification that the Waldenses were ignorant, that they had no divine authority, and that they were mercenary. Evidently the local church had appealed to the Lombards as to a central head, for an answer to these accusations, and the reply, together with a rejoinder by one of the apostates, throws valuable light upon the current beliefs of the sectaries. It appears that they carried their origin back to the primitive Church, claiming that their predecessors had opposed the reception of the Donation of Constantine, and that when Silvester refused to reject the perilous gift a voice sounded from heaven, "This day hath poison been spread in the Church of God." As they were unyielding, they were driven out and persecuted, since when they had preserved the genuine tradition of the Church in obscurity and affliction. They asserted that Peter Waldo had been ordained to the priesthood, and that they possessed full authority, transmitted from God, but nothing is said as to the apostolical succession, and the apostate, Sigfried, reproaches them with only hearing confessions and sending their disciples to the Catholic churches for the other sacraments. There is no word as to transubstantiation, which must therefore have been an accepted doctrine among them, and their frequent quotations from Augustine and Bernard show that they admitted the authority of the doctors of the Church. They allude to two Franciscans who had recently joined the sect, to a priest who had done so and had been burned, and to a Bishop Bestardi, who, for the same offence, had been summoned to Rome, whence he had never returned.—Comba, Histoire des Vaudois d'Italie, I. 243–55.

own hands. In 1392 he issued a commission, as episcopal inquisitors, to Frederic, Bishop of Toul, Nicholas of Saulheim, the Dean of St. Stephen, and John Wasmod, of Homburg, a priest of the cathedral, to whom the papal inquisitor could adjoin himself if he so chose. These inquisitors were armed with full authority to arrest, try, torture, sentence, and abandon to the secular arm all heretics, and were instructed to proceed in accordance with the practice of the Inquisition. They zealously discharged their duty. A number of Waldenses were already in the episcopal prison, and they made diligent perquisition after the rest. By free use of torture they obtained the necessary avowals and evidence. Those who were obstinate were handed over to the secular arm, and an *auto de fe* celebrated at Bingen in 1392, where six-and-thirty wretches were burned, proved that the papal Inquisition itself could not have been more effective. A little tract on the examination of Waldenses, evidently written on this occasion, shows that the inquisitorial process was fairly well understood, and that the episcopal officials had not much to learn from their rivals.*

When attention was once attracted to this secret heresy, it was not long before Waldenses were discovered everywhere. In a short list of them, dated 1391, Poland, Hungary, Bavaria, Suabia,

* Index Error. Waldens. (Mag. Bib. Pat. XIII. 340).—Petri Herp Annal. Francofurt. ann. 1389 (Senckenberg Select. Juris II. 19).—Gudeni Cod. Diplom. III. 598–600.—Serrarii Hist. Mogunt. Lib. v. p. 707.—Hist. Ordin. Carthus. (Martene Ampl. Coll. VI. 214).—Modus examinandi Hæreticos (Mag. Bib. Pat. XIII. 341–2).

John Wasmod subsequently wrote a tract against the Beghards which has been printed by Haupt (Zeitschrift für Kirchengeschichte, 1885, pp. 567–76). Its chief interest lies in its attributing to the Beghards the tenets of the Waldenses. There is no allusion to pantheism, to union with God, to refusal of the sacraments, to the denial of hell and purgatory. Either he confounds the sects, or else the Waldenses concealed themselves under the guise of Beghards, or else there were among the Beghards a certain number who constituted a church separate from that of Rome without adopting the distinctive principles of Amaurianism. Wasmod tells us that they do not easily receive applicants, whose obedience they test by making them eat putrid flesh, drink water foul with maggots, etc., at the risk of their lives. One of their strongest arguments is found in the corruption of the Church, which is thus deprived of the power of the keys. Distinctively referable to Beghardism is the assertion that these heretics are greatly favored and defended by the magistrates of the cities; and not very flattering to Rome is the explanation that the bulls in favor of the Beguines were obtained by the use of money.

and Saxony are represented. The author of the tract which passes under the name of Peter of Pilichdorf, who took an energetic part both with the pen and in action in suppressing this suddenly discovered heresy, informs us, in 1395, that the Netherlands, Westphalia, Prussia, and Poland were not infected with it, while Thuringia, Misnia, Bohemia, Moravia, Austria, and Hungary numbered their heretics by thousands. Curiously enough, in this list he omits Pomerania, where, along the Baltic regions, the Waldenses were thickly scattered from Stettin to Konigsberg. The heresy had been deeply rooted there for at least a century, and the local priesthood seem to have borne no ill-will to the harmless sectaries, who conformed outwardly to the orthodox observances. Even when in confession intimations of the heresy escaped, as sometimes happened, they were wisely and mercifully overlooked. Yet there is evidence of previous persecution in the confession of Sophia Myndekin, of Fleit, who said that she had been fifty years in the sect, that her husband had been burned at Angermunde, and that she had only escaped on account of pregnancy, while all their little property was confiscated. They were poor folk, mostly peasants and laborers, and though there are occasional allusions in the trials to men of gentle blood, the tenets of the sect excluded all who owed feudal military service, war and bloodshed being strictly forbidden. They were visited yearly by their ministers, some of whom were mechanics, and others learned men skilled in Holy Writ, probably from Bohemia, who preached, heard confessions, and granted absolution, the utmost secrecy being observed in these ministrations. Moreover, collections were made and remitted to the headquarters of the sect, showing that they formed part of the great Waldensian organization.*

They had long been unmolested when one of their ministers, known as Brother Klaus, who had visited them in 1391 and had heard many confessions, apparently became frightened at the movement against them. He apostatized, and seems to have betrayed the names of his penitents. The Church made haste to secure the fruits of his repentance. Brother Peter, Provincial of

* Gretseri Prolegom. c. 6 (Mag. Bib. Pat. XIII. 292).—Refutat. Waldens. (Ib. p. 335).—P. de Pilichdorf. c. 15 (Ib. p. 315).—Wattenbach, Sitzungsberichte der Preuss. Akad. 1886, pp. 48–9, 51.

the Celestinian Order, was appointed papal inquisitor, and early in 1393 he came to Stettin armed with full powers from the Archbishop of Prague and the Bishops of Lebus and Camin to represent them. He issued citations, both general ones from the pulpits of the infected region, and special summonses to individuals. This naturally caused great excitement, and some of the suspects fled; in Klein-Wurbiser, indeed, there was a faint demonstration made against the inquisitorial apparitors, but there was no resistance, and the great majority submitted to the inevitable. Friar Peter, as customary, was lenient with those who spontaneously confessed and abjured; all took the oaths, including that of persecuting heresy and heretics,with only an occasional manifestation of hesitancy. Torture seems to have been unnecessary; there was no exhibition of obstinacy, and no burnings. They were condemned to wear crosses and perform other penance, and when, as was usually the case, their parents had died in the sect, they were required to indicate the place of burial, presumably for exhumation. From January, 1393, until February, 1394, Friar Peter was engaged in this work. One of his registers, comprising four hundred and forty-three cases, was in the hands of Flacius Illyricus, fragments of which have recently been discovered and described by Herr Wattenbach.*

From Pomerania, Friar Peter hastened to the south, where he found Waldenses as numerous, and less inclined to submission. He has left a brief memorial of his labors, written in 1395, in which he expresses his fears that the heresy would become dominant, as the Waldenses were resorting to force, and were employing arson and homicide to intimidate the orthodox. His only evidence of this, however, is that on September 8, those of Steyer, to punish the parish priest for receiving the inquisitors in his house, burned his barn, and affixed to the town gates, by night, a warning in the shape of a half-burned brand and a bloody knife. This offence was cruelly avenged, for in 1397, at Steyer, more than a hundred Waldenses of either sex were burned. In this relentless persecution the case of a child of ten condemned to wear crosses shows how unsparing were the tribunals, while others in which the cul-

* Wattenbach, op. cit. pp. 49–50, 54–55.—Flac. Illyr. Cat. Test. Veritatis Lib. XV. pp. 1506, 1524; Lib. XVIII. p. 1803 (Ed. 1608).

prits were burned for relapse, having already abjured before the inquisitor, Henry of Olmütz, indicate that this was not the first effort made to exterminate the heresy. How extended it was, and how vigorous its repression, may be gathered from the pseudo Peter of Pilichdorf, who tells us that from Thuringia to Moravia a thousand converts were made in two years, and that the inquisitors who were busy in Austria and Hungary expected soon to have a thousand more.*

About the year 1400, in Strassburg, there was active persecution against a sect known as Winkelers, who were discovered to have four assemblies in the city, and others in Mainz and Hagenau. In their confessions they alluded to their comrades in many other places, such as Nordlingen, Ratisbon, Augsburg, Tischengen, Soleure, Berne, Weissenberg, Speier, Holzhausen, Schwabisch-Worth, Friedberg, and Vienna. Although, strictly speaking, not Waldenses, they had so many traits in common that the distinction is rather one of organization than of faith. In 1374 one of their number returned to the Church, and the fear of his betraying the little community led to his deliberate murder, the assassins being paid, and undergoing penance to obtain absolution. Some years later the inquisitor, John Arnoldi, was threatened with similar vengeance and left the city. In the final persecution some thirty families were put on trial, while many succeeded in remaining concealed. There was but one noble among them, Blumstein, who abjured, and who, some twenty years later, is found filling important civic posts. Though reference is made in one of the trials to members of the sect who had been burned at Ratisbon, those of Strassburg were more fortunate. The inquisitor, Bockeln, is said to have received bribes for assigning private penance to some of the guilty; and though the Dominicans demanded the burning of the heretics, the magistrates interceded with the episcopal official, and banishment was the severest penalty inflicted. Torture, however, had been freely used in obtaining confessions. After this, nothing more is heard in Strassburg of either Winkelers or Waldenses until the burning of Frederic Reiser in 1458.†

* W. Preger, Beiträge, pp. 51, 53-4, 68, 72.—P. de Pilichdorf c. 15 (Mag. Bib. Pat. XIII. 315).

† Hoffmann, Geschichte der Inquisition, II. 384-90.—C. Schmidt, Real-Encyklop. s. v. Winkeler.

There evidently was ample work for the Inquisition in Germany, but it seems to have been more anxious to repair its defeat in the contest with the Beghards than to operate against the Waldenses. In the general excitement on the subject of heresy it was not difficult to render the Beghards objects of renewed suspicion and persecution. To some extent the bishops and most of the inquisitors joined in this, but the suspects had friends among the prelates, who wrote, towards the close of 1393, to Boniface IX, eulogizing their piety, obedience, and good works, and asking protection for them. To this Boniface responded, January 7, 1394, in a brief addressed to the German prelates, ordering them to investigate whether these persons are contaminated with the errors condemned by Clement V. and John XXII., and whether they follow any reproved religious Order; if not, they are to be efficiently protected. An exemplified copy of this brief, given by the Archbishop of Magdeburg, October 20, 1396, shows that it continued to be used and was relied upon in the troubles which followed, soon after, through a sudden change of policy by Boniface. The Inquisition did not remain passive under this interference with its operations. It represented to Boniface that for a hundred years heresies had lurked under the outward fair-seeming of the Beghards and Beguines, in consequence of which, almost every year, obstinate heretics had been burned in the different cities of the empire, and that their suppression was impeded by certain papal constitutions which were urged in their protection. Boniface was easily moved to reversing his recent action, and by a bull of January 31, 1395, he restored to vigor the decrees of Urban V., Gregory XI., and Charles IV., under which he ordered the Inquisition to prosecute earnestly the Beghards, Lollards, and *Zwestriones.* This gave full power to molest the orthodox associations as well as the heretic Brethren of the Free Spirit, and a severe storm of persecution burst over them. Even some of the bishops joined in this, as appears from a synod held in Magdeburg about this time, which ordered the priests to excommunicate and expel them. Yet this again aroused their friends, and Boniface was induced to reissue his bull with an addition which, like the contradictory provisions of the Clementines, shows the perplexity caused by the admixture of orthodoxy and heresy among the Beguines. After repeating his commands for their suppression, he adds that there

are pious organizations known as Beghards, Lollards, and *Zwestriones*, which shall be permitted to wear their vestments, to beg, and to continue their mode of life, excommunication being threatened against any inquisitor who shall molest them, unless they have been convicted by the ordinaries of the diocese.*

This left the matter very much to the discretion of the local authorities, but the spirit of persecution was fairly revived, and the Inquisition made haste to fortify its position. Under pretext that the bulls of Gregory XI. were becoming worn by age and use, it procured their renewal from Boniface IX., in 1395, though the pope is careful to express that he grants no new privileges. In 1399 it succeeded in having the number of inquisitors increased to six for the Dominican province of Saxony alone, on the plea that its wide extent and populous cities rendered the existing force insufficient. This was not without reason, for the province embraced the great archiepiscopal districts of Mainz, Cologne, Magdeburg, and Bremen, to which were added Rügen and Camin. Camin belonged to the province of Gnesen, and Rügen formed part of the diocese of Roskild, which was suffragan to the metropolitan of Lünden in Sweden, thus furnishing the only instance of inquisitorial jurisdiction in any region that can be called Scandinavian, save a barren attempt made, in 1421, under the stimulus of the Hussite troubles. A few weeks later Boniface issued another bull, ordering the prelates and secular rulers of Germany to give all aid and protection to Friar Eylard Schoneveld and other inquisitors, and especially to lend the use of their prisons, as the Inquisition in those parts is said to have none of its own, which shows that Kerlinger's scheme of obtaining them from the property of the Beghards had not proved a success. Eylard set vigorously to work in the lands adjoining the Baltic, which from their remoteness had probably escaped his predecessors. At Lubec, in 1402, he procured the arrest of a Dolcinist named Wilhelm by the municipal officials, showing that he had no familiars of his own; the accused was examined several times in the presence of numerous clerks, monks, and laymen, showing that the secrecy of the inquisitorial process was unknown or unobserved, and he was finally burned.

* Martini Append. ad Mosheim pp. 652–66, 674–5. — Mosheim pp. 409–10, 430–1.—Hartzheim V. 676.—Haupt, Zeitschrift für K. G. 1885, pp. 565–7.

He had a comrade named Bernhard, who fled to Wismar, whither Schoneveld followed him and had him burned in 1403. The same year he seized a priest at Stralsund, who rejected all solicitations to abjure, and was burned as a persistent heretic; and at Rostock he condemned for heresy a woman who drove away with the bitterest reproaches her son, a Cistercian monk, when he urged her to recant, and who likewise perished in the flames.*

About this period heresy appears to have had also to contend with a reaction on the part of the secular authorities. When, in 1400, the Flagellants made a demonstration in the Low Countries, the magistrates of Maestricht expelled them, and when the people took their side the energetic interference of the Bishop of Liège put an end to the insubordination; besides, the Sire de Perweis threw a band of Flagellants into his dungeons and Tongres closed its gates upon them, so that the epidemic was checked. With the year 1400 the comparative peace which the Beguines had enjoyed for some fifteen years came to an end. Their most dreaded enemy was the Dominican, John of Mühlberg, whose purity of life and energy in battling with the moral and spiritual errors of his time won him a wide reputation throughout Germany, so that when he died in exile, driven from Basle by the clergy whom his attacks had embittered, he was long regarded by the people as a saint and a martyr. About 1400 he stirred up in Basle a struggle with the Beguines, which for ten years kept the city in an uproar. Primarily an episode in the hostility between the Dominicans and Franciscans, it extended to the clergy and magistrates, and finally to the citizens at large. In 1405 the Beguines were expelled, but the Franciscans obtained from the papacy bulls ordering their restoration, and the retraction of all that had been said against them. At last, in 1411, Bishop Humbert and the town council, excited by a fiery sermon of John Pastoris, abolished the associations, which were forced to abandon their living in common and their vestments, or to leave the place. The city of Berne followed this example, and the magistrates of Strassburg took the same course, when some of the Beguines adopted the former alternative and

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Mosheim de Beghardis pp. 225–8, 383–4.—Martini Append. ad Mosheim pp. 656–7.—Herm. Corneri Chron. ann. 1402–3 (Eccard. Corp. Hist. II. 1185–6).—Raynald. ann. 1403, No. 23.

some the latter. Many of these took refuge secretly at Mainz. They were discovered, and the archbishop, John II., holding them to be heretics, ordered them to be prosecuted. The matter was intrusted to Master Henry von Stein, who set vigorously about it. The refugees from Strassburg, mostly women, were thrown into prison; we also hear of a nun who was likewise incarcerated, and of a youth from Rotenburg, who was mounted on a hogshead in the public square, and in the presence of the populace was obliged to accept the penance of crosses, in an *auto de fé* much less impressive than those which Bernard Gui was wont to celebrate.*

It was not long before this that the Brethren of the Free Spirit were deprived of their greatest leader, Nicholas of Basle. As a wandering missionary he had for many years been engaged in propagating the doctrines of the sect, and had gained many pros-

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* Chron. Cornel. Zantfliet ann. 1400 (Martene Amplis. Coll. V. 358).—Haupt, Zeitschrift für K. G. 1885, pp. 513–15.—Chron. Glassberger ann. 1410 (Analecta Franciscana II. 233–5).—Martini Append. ad Mosheim p. 559.—Mosheim p. 455.—Serrarii Lib. v. (Scriptt. Rer. Mogunt. I. 724).

In 1399 an outbreak very similar to that of the Flagellants took place in Italy, stimulated by a pestilence which was ravaging the land. The pilgrims were known as *Bianchi*, from the white linen vestments which they wore, and they first brought to popular notice the "Stabat Mater," which was their favorite hymn. The only reference to flagellation, however, is that in Genoa they were joined by the old fraternities of the Verberati or guilds, founded in 1306, which publicly used the scourge. The Archbishop of Genoa and many of the Lombard bishops lent the movement their countenance; universal peace was proclaimed, enemies forgave each other, and even the strife of Guelf and Ghibelline for a moment was forgotten. When we are told that twenty-five thousand Modenese made the pilgrimage to Bologna, we can readily understand why suspicious rulers, such as Galeazzo Visconti and the Signory of Venice, forbade the entry of their states to such armies. Boniface IX. probably felt the same alarm when the movement reached Rome, and the whole population, including some of the cardinals, put on white garments and marched in procession through the neighboring towns. He caused one of the leaders to be seized at Aquapendente; the free use of torture brought a confession that the whole affair was a fraud, and the poor wretch was burned, when the movement collapsed.—Georgii Stella Annal. Genuens. anu. 1399 (Muratori, S. R. I. XVII. 1170).—Matthæi de Griffonibus Memor. Historial. ann. 1399 (Ib. XVIII. 207).—Cronica di Bologna ann. 1399 (Ib. XVIII. 565).—Annal. Estens. ann. 1398 (Ib. XVIII. 956–8).—Conrad Urspurgens. Chron. Contin. ann. 1399.—Theod. a Niem de Schismate, Lib. II. c. 26.

elytes. The Inquisition had been eagerly on his track, but he was shrewd and crafty, and had eluded its pursuit. Forced, probably about 1397, to fly to Vienna with two of his disciples, John and James, they were discovered and seized. The celebrated Henry of Hesse (Langenstein) undertook their conversion, and flattered himself that he had succeeded, but they all relapsed and were burned. As Peter, the Celestinian abbot, was at this time Inquisitor of Passau, he probably had the satisfaction of ridding the Church of this dangerous heresiarch, whose belief in his own divine inspiration was such that he considered his will to be equal to that of God.

Not long after a similar martyrdom occurred at Constance, where a Beghard, named Burgin, had founded a sect of extreme austerity. Captured with his disciples by the bishop, he would not abandon his doctrines, and was duly relaxed. Gerson's numerous allusions to the Turelupins and Beghards show that at this period the sect was attracting much attention and was regarded as seductively dangerous. With all his tendency to mysticism, Gerson could recognize the peril incurred by those whom he describes as deceived through too great a desire to reach the sweetness of God, and who mistake the delirium of their own hearts for divine promptings: thus disregarding the law of Christ, they follow their own inclinations without submitting to rule, and are precipitated into guilt by their own presumption. He was especially averse to the spiritual intimacy between the sexes, where devotion screened the precipice on the brink of which they stood. Mary of Valenciennes, he says, was especially to be avoided on this account, for she applied what is set forth about the divine fruition to the passions seething in her own soul, and she argues that he who reaches the perfection of divine love is released from the observance of all precepts. Thus the Brethren of the Free Spirit were practically the same in the fifteenth century as in the times of Ortlieb and Amauri.*

Giles Cantor, who founded in Brussels the sect which styled itself Men of Intelligence, was probably a disciple of Mary of Va-

* Nider Formicar. Lib. III. c. 2.—Haupt, Zeitschrift für K. G. 1885, pp. 510–11.—Gersoni de Consolat. Theolog. Lib. IV. Prosa iii.; Ejusd. de Mystica Theol. speculat. P. I. consid. viii.; Ejusd. de Distinct. verar. Vision. a falsis, Signum v.

lenciennes, and the name was adopted merely to cover its affiliation with the proscribed Brethren of the Free Spirit. Its doctrines were substantially the same in their mystic pantheism and illuminism; and their practical application is seen in the story that on one occasion Giles was moved by the spirit to go naked for some miles when carrying provision to a poor person. So open a manifestation would have insured his prosecution had there been any machinery for persecution in efficient condition in Brabant; but he was allowed to propagate his doctrines in peace until he died. He was succeeded in the leadership of the sect by a Carmelite known as William of Hilderniss, and at length it attracted, in 1411, the attention of Cardinal Peter d'Ailly, Bishop of Cambrai. Fortunately for William, the bishop chose to direct the proceedings himself, and they show complete disregard of inquisitorial methods. He appointed special commissioners, who made an inquisition; both the names and the testimony of the witnesses were submitted to William, who made what defence he could. In rendering judgment d'Ailly called in the Dominican Prior of St. Quentin, who was inquisitor of the district of Cambrai, and the sentence was as irregular as the proceedings. William had no desire for martyrdom, and abjured the heresy; he was required to purge himself with six compurgators, after which he was to undergo the penance of three years' confinement in a castle of the bishop's, while if he failed in his purgation he was to be imprisoned in a convent of his order during the archbishop's pleasure—a most curious and illogical medley. He succeeded in finding the requisite number of compurgators, but though he disappeared from the scene his sect was by no means extinguished, and we hear of the persecution of a heresiarch as late as 1428.*

That Clement VI. did not err when he foresaw the dangerous errors lurking under the devotion of the Flagellants was demonstrated in 1414. The sect still existed, and its crude theories as to the efficacy of flagellation had gradually been developed into an antisacerdotal heresy of the most uncompromising character. A certain Conrad Schmidt was the constructive heresiarch who gave to its belief an organized completeness, and his death made

* Baluz. et Mansi I. 288-93.—Altmeyer, Les Precurseurs de la Reforme aux Pays-Bas, I. 84.

no diminution of the zeal of his disciples, nor did the failure of his prophecy of the end of the world in 1369. The curious connection between the Flagellants and the Beghards is indicated by the fact that these Flagellant Brethren, or Brethren of the Cross, as they styled themselves, regarded Conrad as the incarnation of Enoch, and a certain Beghard, who had been burned at Erfurt about 1364, as Elias—an angel having brought their souls from heaven and infused them into Schmidt and this Beghard while yet in the womb. Schmidt was to preside at the approaching Day of Judgment, which was constantly believed to be at hand, Antichrist being the pope and the priests, whose reign was drawing to an end.

When, in 1343, the letter commanding flagellation, to which I have already alluded, was brought by an angel and laid on the altar of St. Peter, God withdrew all spiritual power from the Church and bestowed it on the Brethren of the Cross. Since then all sacraments had lost their virtue, and to partake of them was mortal sin. Baptism had been replaced by that of the blood drawn by the scourge; the sacrament of matrimony only defiled marriage; the Eucharist was but a device by which the priests sold a morsel of bread for a penny—if they believed it to be the body of Christ they were worse than Judas, who got thirty pieces of silver for it; flagellation replaced them all. Oaths were a mortal sin, but to avoid betraying the sect the faithful could take them and receive the sacraments, and then expiate it by flagellation. The growth of such a belief and the mingled contempt and hatred manifested for the clergy prove that to the people the Church was as much a stranger and an oppressor as it had been in the twelfth century. It had learned nothing, and was as far from Christ as ever.

Conrad Schmidt had promulgated his errors in Thuringia, where his sectaries were discovered, in 1414, at Sangerhausen. Thither sped the inquisitor Schoneveld—called Henry by the chroniclers, but probably the same as the Eylard, whom we have seen at work some years before on the shores of the Baltic. The princes of Thuringia and Misnia were ordered to assist him, and they were eager to share in the suppression of a heresy which threatened to revolutionize the social order. The proceedings must have been more energetic than regular. Torture must have

been freely used to gather into the net so many victims; nor can a patient hearing have been given to the accused. Their shrift was short, and before Schoneveld had left the scene of action he had caused the burning of ninety-one at Sangerhausen, forty-four in the neighboring town of Winkel, and many more in other villages. Yet such was the persistence of the heresy that even this wholesale slaughter did not suffice for its suppression. Two years later, in 1416, its remains were discovered, and again Schoneveld was sent for. He examined the accused. To those who abjured he assigned penances, and handed over the obstinate to the secular arm. His assizes must have been hurried, for he did not stay to witness the execution of those whom he had condemned, and after his departure the princes gathered all together, both penitents and impenitents, some three hundred in number, and burned the whole of them in one day. This terrible example produced the profound impression that was desired, and hereafter the sect of Flagellants may be regarded as unimportant. Some discussion, as we have seen, took place the next year at the Council of Constance, when San Vicente Ferrer expressed his approbation of this form of discipline, and Gerson mildly urged its dangers; but when, in 1434, a certain Bishop Andreas specified, among the objects of the Council of Basle, the suppression of the heresies of the Hussites, Waldenses, Fraticelli, Wickliffites, the Manichæans of Bosnia, the Beghards, and the schismatic Greeks, there is no allusion in the enumeration to Flagellants. Yet the causes which had given rise to the heresy continued in full force and it was still cherished in secret. In 1453 and 1454 Brethren of the Cross were again discovered in Thuringia, and the Inquisition was speedily at work to reclaim them. Besides the errors propagated by Conrad Schmidt, it was not difficult to extort from the accused the customary confessions of foul sexual excesses committed in dark subterranean conventicles, and even of Luciferan doctrines, teaching that in time Satan would regain his place in heaven and expel Christ; though when we hear that they alleged the evil lives of the clergy as the cause of their misbelief we may reasonably doubt the accuracy of these reports. Aschersleben, Sondershausen, and Sangerhausen were the centres of the sect, and at the latter place, in 1454, twenty-two men and women were burned as obstinate

heretics. In 1481 a few were punished in Anhalt, and the sect gradually disappeared.*

The case of the Beghards and Beguines came before the Council of Constance in several shapes. To guard themselves from the incessant molestations to which they were exposed they had, to a large extent, affiliated themselves, nominally at least, as Tertiaries, to the Mendicant Orders, chiefly to the Franciscan, whose scapular they adopted. In a project of reform, carefully prepared for action by the council, this is strongly denounced; they are said to live in forests and in cities, free from subjection, indulging in indecent habits, not without suspicion of heresy, and though able of body and fit to earn their livelihood by labor, they subsist on alms, to the prejudice of the poor and miserable. It was therefore proposed to forbid the wearing of the scapular by all who were not bound by vows to the Orders and subjected to the Rules. It was also pronounced necessary to make frequent visitations of their communities on account of the peculiarities of their life, and magistrates and nobles were to be ordered not to interfere with such wholesome supervision under pain of interdict. It was possibly to meet this attack that numerous testimonial letters from the clergy and magistrates of Germany certifying to the orthodoxy, piety, and usefulness of the associations were sent to Martin V., who submitted them to Angelo, Cardinal of SS. Peter and Marcellus, and received from him a favorable report. Towards the close of the council, in 1418, a more formidable assault was made upon them by Matthew Grabon, a Dominican of Wismar, who

* Theod. Vrie, Hist. Concil. Constant. Lib. IV. Dist. 13.—Marieta, Los Santos de España, Lib. XI. c. xxviii.—Gobelini Person. Cosmodrom. Æt. VI. c. 93.—Chron. S. Ægid. in Brunswig (Leibnitii S. R. Brunsv. III. 595).—Gieseler, Lehrbuch der Kirchengeschichte, II. III. 317–18.—Herm. Corneri Chron. ann. 1416 (Eccard. Corp. Hist. II. 1206).—Andreæ Gubernac. Concil. P. IV. c. 11 (Von der Hardt VI. 194).—Chron. Magdeburgens. ann. 1454 (Meibom. Rer. German. II. 362).—Haupt, Zeitschrift für Kirchengeschichte, 1887, 114–18.—Herzog, Abriss, II. 405.

In 1448, when pestilence and famine in Italy brought men to a sense of their sins, the eloquence of Frà Roberto, a Franciscan, excited multitudes to repentance, and the streets of the cities were again filled with Flagellants, disciplining themselves and weeping (Illescas, Historia Pontifical, II. 130).

laid before Martin V. twenty-four articles to prove that all such associations outside of the approved religious orders ought to be abolished. To accomplish this, after the approved style of scholastic logic, he was obliged to assert such absurd general principles as that it was equivalent to suicide, and therefore a mortal sin, for any secular person to give away his property in charity, and that the pope had no power to grant a dispensation in such cases. Grabon's propositions and conclusions were referred to Antonio, Cardinal of Verona, who submitted them to Cardinal Peter d'Ailly and Chancellor Gerson. The former reported that the paper was heretical and should be burned, while the jurists should be called upon to decide what ought to be done to its writer. The latter, that the doctrine was pestiferous and blasphemous, and that its author, if obstinate, should be arrested. Grabon was glad to escape by publicly abjuring some of his articles as heretical, others as erroneous, and others as scandalous and offensive to pious ears. The triumph of the Beguines was decisive, and they might at last hope for a respite from persecution. The associations increased and flourished accordingly, and under their shelter the Brethren of the Free Spirit continued to propagate their heresy.*

From this time forward the attention of the Church was mainly directed to Hussitism, the most formidable enemy that it had encountered since the Catharism of the twelfth century. This will be considered in a following chapter, and meanwhile I need only say that its secret but threatening progress throughout Germany called for active means of repression and led to more thorough organization of the Inquisition. The bull of Martin V., issued February 22, 1418, against Wickliffites and Hussites, is addressed not only to prelates but to inquisitors commissioned in the dioceses and cities of Salzburg, Prague, Gnesen, Olmütz, Litomysl, Bamberg, Misnia, Passau, Breslau, Ratisbon, Cracow, Posen, and Neutra. While of course this is not to be taken literally, as though there were an organized tribunal of the Holy Office in each of these places, still it indicates that in the districts infected or exposed to infection the Church was arming itself with its

* Conc. Constant. Decret. Reform. Lib. III. Tit. x. c. 13; Tit. v. c. 5 (Von der Hardt, I. 715–17).—Hemmerlin Glosa quarund. Bullar. (Opp. c. d.).—De Rebus Matthæi Grabon (Von der Hardt, III. 107–20).

most effective weapons. The growing danger, moreover, was leading the bishops to abandon somewhat their traditional jealousy. In this same year, 1418, the council of the great province of Salzburg not only urged the bishops to extirpate heresy and to enforce the canons against the secular powers neglecting their duty in this respect, but commanded all princes and potentates to seize and imprison all who were designated as suspect of heresy by the prelates and the inquisitors. Thus at last the episcopate recognized the Inquisition and came to its support.*

Yet the attention of the persecutors was not so exclusively directed to the Hussites as to allow the Brethren of the Free Spirit to escape, and in their zeal they continued to molest the orthodox Beguines in spite of the action of Martin V. at Constance. In 1431 Eugenius IV. found himself obliged to intervene for their protection. In a bull, addressed to the German prelates, he recites the favorable action of his predecessors and the troubles to which, in spite of this, they were exposed by the inquisitors. Those who wander around without fixed habitations he orders to be compelled to dwell in the houses of the confraternity, and those who reside quietly and piously are to be efficiently protected. This bull affords perhaps the only instance in which the episcopal power is rendered superior to the Inquisition, for the bishops are authorized to enforce its provisions by the censures of the Church, without appeal, even if those who interfere with the Beguines enjoy special immunities, thus subjecting the inquisitors to excommunication by the prelates. This stretch of papal power exasperated Doctor Felix Hemmerlin, Cantor of Zurich, who detested the Beguines. He wrote several bitter tracts against them, and explained the favor shown them by Eugenius by irreverently stating that the pope had himself been once a Beghard at Padua. In one of his numerous assaults upon them, written probably about 1436, he alludes to several recent cases within a limited region, which would indicate that in spite of the papal protection of the Beguines, the Brethren of the Free Spirit were actively persecuted, and that, if the statistics of the whole empire could be procured, the number of victims would be found not small. Thus in Zurich a certain

* Von der Hardt, IV. 1518.—Concil. Salisburg. XXXIV. c. 32 (Dalham, Concil. Salisb. p. 186).

Burchard and his disciples were tried and penanced with crosses; but they were subsequently found to be relapsed and were all burned. At Uri, Charles and his followers were similarly burned. At Constance Henry de Tierra was forced to abjure. At Ulm, John and a numerous company were subjected to public penance. In Wurtemberg there was a great heresiarch punished, whose conviction was only secured after infinite pains. Then from Bohemia there come Beghards every year who seduce a countless number to heresy in Berne and Soleure. This leads one to think that Hemmerlin, in his passion, may confound Hussites with Beghards, and this is confirmed by his assertion that there is in Upper Germany no heresy save that introduced by the foxes of this pernicious sect. Nider, in fact, writing immediately after the Council of Basle had effected a settlement with the Hussites, when, for a time at least, in Germany they were no longer considered enemies of the Church, declares that heretics were few and powerless, skulking in concealment and not to be dreaded, although he had, in describing the errors of the Brethren of the Free Spirit, stated that they were still by no means uncommon in Suabia. It was evidently a member of this sect whom he describes as seeing at Ratisbon when proceeding with the Archdeacon of Barcelona on a mission from the Council of Basle to the Hussites. She was a young woman of spotless character, who made no effort to propagate her faith, but she could not be induced to recant. The archdeacon advised that she be tortured to break her spirit, which was done without success and without forcing her to name her confederates; but when Nider visited her in her cell during the evening, he found her exhausted with suffering, and he readily brought her to acknowledge her error, after which she made a public recantation. This shows us that there could have been no Inquisition in Ratisbon, and that the local authorities had even lost the memory of inquisitorial proceedings.*

In 1446 the Council of Wurzburg found it necessary to repeat the canon of that of Mainz in 1310, ordering the expulsion of all wandering Beghards using the old cry of "*Brod durch Gott*" and preaching in caverns and secret places, showing the maintenance

* Hemmerlin Glosa quarund. Bullar; Ejusd. Lollardorum Descriptio.—Nider Formicar. III. 5, 7, 9.

of the traditional customs and also the absence of more active persecution. In 1453 Nicholas V formally adjoined them to the Mendicant Orders as Tertiaries. Some of them obeyed and formed a distinct class, known as Zepperenses, from their principal house at Zepper. They diminished greatly in number, however, and in 1650 Innocent X. united them with the Tertiaries of Italy, under the General Master residing in Lombardy. The female portion of the associations, which became distinctively known as Beguines, were more fortunate. They were able to preserve their identity and their communities, which remain flourishing to the present day, especially in the Netherlands, where in 1857 the great Beguinage of Ghent contained six hundred Beguines and two hundred *locataires* or boarders.*

Still there remained a considerable number both of heretic Brethren of the Free Spirit and of orthodox Beghards of both sexes who recalcitrated of being thus brought under rule and deprived of their accustomed independence. Thus it is related of Bernhard, who was elected Abbot of Hirsau in 1460, that among other reforms he ejected all the Beguines from their house at Altburg, on account of their impurity of life, and replaced them with Dominican Tertiaries. This aroused the hostility of the Beghards who dwelt in hermitages in the forest of Hirsau, and they conspired against the abbot, but only to their own detriment. In 1463 the Synod of Constance complains of the unlawful wearing of the Franciscan scapular by Lollards and Beguines; all who do so are required to prove their right or to lay it aside, and able-bodied Lollards are ordered to live by honest labor and not by beggary. This latter practice was ineradicable, however, and twenty years later another synod was compelled to repeat the command. In 1491 a synod of Bamberg refers to the provisions of the Clementines against the Beguines as though their enforcement was still called for; and Friar John of Moravia, who died at Brünn in 1492, is warmly praised as a fierce and indefatigable persecutor of Hussites and Beghards. These insubordinate religionists continued to exist under almost constant persecution, until the Reformation,

* Concil. Herbipolens. ann. 1446 (Hartzheim V. 336). — Mosheim de Beghardis pp. 173–9, 190, 194–5. — Addis and Arnold's Catholic Dictionary, p. 73.

when they served as one of the elements which contributed to the spread of Lutheranism.*

It was impossible that Hussitism should triumph in Bohemia without awakening an echo throughout Germany, or that the Hussites should abstain from missionary and proselyting efforts, but the spread of the heresy through the Teutonic populations was sternly and successfully repressed. In 1423 the Council of Siena, under the presidency of papal legates, showed itself fully alive to the danger. It sharply reproved both inquisitors and episcopal ordinaries for the supineness which alone could explain the threatening spread of heresy. They were urged to constant and unsparing vigilance under pain of four months' suspension from entering a church and such other punishment as might seem opportune. They were further ordered to curse the heretics with bell, book, and candle every Sunday in all the principal churches. Holy Land indulgences were offered to all who would assist them in capturing heretics, as well as to rulers who, unable to capture them, should at least expel them from their territories. The earnest tone of the council reflects the alarm that was everywhere felt, and it unquestionably led to renewed exertions, though only a few instances of successful activity chance to be recorded. Thus, in 1420, a priest, known as Henry Grünfeld, who had embraced Hussite doctrines, was burned at Ratisbon, where likewise, in 1423, another priest named Henry Rathgeber met the same fate. In 1424 a priest named John Drandorf suffered at Worms, and in 1426 Peter Turman was burned at Speier. Even after the Council of Basle had recognized the Hussites as orthodox, and under the Compactata they enjoyed toleration in states where they held temporal authority, they were still persecuted as heretics elsewhere. About 1450 John Müller ventured to preach Hussite doctrines throughout Franconia, where he met with much acceptance and gained a numerous following, but he was forced to fly, and one hundred and thirty of his disciples were seized and carried to Wurzburg. There they were persuaded to recant by the Abbot John of Grumbach and Master Anthony, a preacher of the cathe-

* Trithem. Chron. Hirsaug. ann. 1460.—Hartzheim V. 464, 507, 560, 578.—Wadding. ann. 1492, No. 8.—Martini Append. ad Mosheim p. 579.

dral. More tragic was the fate of Frederic Reiser, a Suabian, educated in Waldensianism. Under the guise of a merchant he had served as a preacher among the Waldensian churches which maintained a secret existence throughout Germany. At Heilsbronn he was captured in a Hussite raid, when, carried to Mount Tabor, he recognized the practical identity of the faiths and received ordination at the hands of the Taborite Bishop Nicholas. He labored to bring about a union of the churches, and wandered as a missionary through Germany, Bohemia, and Switzerland. Finally he settled at Strassburg, which was always a heretic centre, and gathered a community of disciples around him. He called himself "Frederic, by the grace of God bishop of the faithful in the Roman Church who spurn the Donation of Constantine." He was detected in 1458 and arrested with his followers. Under torture he confessed all that was required of him, only to withdraw it when removed from the torture-chamber. The burgomaster, Hans Drachenfels, and the civic magistracy earnestly opposed his execution, but they were obliged to yield, and he was burned, together with his faithful servant, Anna Weiler, an old woman of Nurnberg.*

Reiser had been specially successful with the descendants of the Pomeranian Waldenses who, as we have seen, abjured before the inquisitor Peter in 1393. They appear to have by no means abandoned their heresy, and were easily brought to the modifications which assimilated them to the Hussites—the adoption of bishops, priests, and deacons, the communion in both elements, and the honoring of Wickliff, Huss, and Jerome of Prague. In this same year, 1458, a tailor of Selchow, named Matthew Hagen, was arrested with three disciples and carried to Berlin for trial by order of the Elector Frederic II. He had been ordained as a priest in Bohemia by Reiser, and had returned to propagate the doctrines of the sect and administer its sacraments. His followers weakened and abjured, but he remained steadfast, and was abandoned to the secular arm. To root out the sect, Dr. John Canne-

* Concil. Senens. ann. 1423 (Harduin. VIII. 1016–17).—Ullmann's Reformers before the Reformation, Menzies' Transl. I. 383–4.—Flac. Illyr. Catal. Test. Veritatis Lib. XIX. p. 1836 (Ed. 1608).—Comba, Histoire des Vaudois d'Italie, I. 97.—Hoffmann, Geschichte der Inquisition, II. 390–1.

man, who had tried Hagen, was sent to Angermunde as episcopal inquisitor; he found many sectaries but no obstinacy, for they willingly submitted and abjured.*

There was, in fact, enough in common between the doctrines of the more radical Hussites and those of the Waldenses to bring the sects eventually together. The Waldenses had by no means been extirpated, and when, in 1467, the remnant of the Taborites known as the Bohemian Brethren opened communication with them, the envoys sent had no difficulty in finding them on the confines between Austria and Moravia, where they had existed for more than two centuries. They had a bishop named Stephen, who speedily called in another bishop to perform the rite of ordination for the Brethren, showing that the heretic communities were numerous and well organized. The negotiations unfortunately attracted attention, and the Church made short work of those on whom it could lay its hands. Bishop Stephen was burned at Vienna and the flock was scattered, many of them finding refuge in Moravia. Others fled as far as Brandenburg, where already there were flourishing Waldensian communities. These were soon afterwards discovered, and steel, fire, and water were unsparingly used for their destruction, without blotting them out. A portion of those who escaped emigrated to Bohemia, where they were gladly received by the Bohemian Brethren and incorporated into their societies. The close association thus formed between the Brethren and the Waldenses resulted in a virtual coalescence which gave rise to a new word in the nomenclature of heresy. When, in 1479, Sixtus IV. confirmed Friar Thomas Gognati as Inquisitor of Vienna, he urged him to put forth every exertion to suppress the Hussites and Nicolinistæ. These latter, who took their name from Nicholas of Silesia, were evidently Bohemian Brethren who adhered to the extreme doctrine common to both sects, that nothing could justify putting a human being to death. Thus the struggle continued, and though the danger was averted which had once seemed threatening, of the widespread adoption of Hussite theories, there remained concealed enough Hussite and Waldensian hostility to Rome to serve as a nucleus of discontent and to give sufficient support to revolt when a man was found,

* Wattenbach, Sitzungsberichte der Preuss. Akad. 1886, pp. 57–8.

like Luther, bold enough to clothe in words the convictions which thousands were secretly nursing.*

Signs, indeed, were not wanting in the fifteenth century of the inevitable rupture of the sixteenth. Prominent among those who boldly defied the power of Rome was Gregory of Heimburg, whom Ullman well designates as the citizen-Luther of the fifteenth century. He first comes into view at the Council of Basle, in the service of Æneas Sylvius, who was then one of the foremost advocates of the reforming party, and he remained steadfast to the principles which his patron bartered for the papacy. A forerunner of the Humanists, he labored to diffuse classical culture, aud with his admiration for the ancients he had, like Marsiglio of Padua, imbibed the imperial theory of the relations between Church and State. With tongue and pen inspired by dauntless courage he was indefatigable to the last in maintaining the rights of the empire and the supremacy of general councils. The power of the keys, he taught, had been granted to the apostles collectively; these were represented by general councils, and the monopoly in the hands of the pope was a usurpation. His free expression of opinion infallibly brought him into collision with his early patron, and the antagonism was sharpened when Pius II. convoked the assembly of princes at Mantua to provide for a new crusade. Gregory, who was there as counsellor of the princes, boldly declared that this was only a scheme to augment the papal power and drain all Germany of money. When Nicholas of Cusa, a time-server like Pius, was appointed Bishop of Brixen and claimed property and rights regarded by Sigismund of Austria as belonging to himself, Sigismund, under Gregory's advice, arrested the bishop. Thereupon Pius, in June, 1460, laid Sigismund's territories under interdict, and induced the Swiss to attack him. Gregory drew up an appeal to a general council, which Sigismund issued, although Pius had forbidden such appeals, and he further had the hardihood to prove by Scripture, the fathers, and history, that the Church was subject to the State. It was no wonder that Gregory shared his master's excommunication. In October, 1460, he was declared a heretic, and all the faithful were ordered to seize his property

* Hist. Persecut. Eccles. Bohem. pp. 71–2 (s. l. 1648).—Camerarii Hist. Frat. Orthodox. pp. 116–17 (Heidelbergæ, 1605).—Ripoll III. 577.

and punish him. To this he responded in vigorous appeals and replications, couched in the most insolent and contemptuous language towards both Pius and Nicholas. In October, 1461, Pius sent Friar Martin of Rotenburg to preach the faith and preserve the faithful from the errors of Sigismund and his heresiarch Gregory, and, professing to believe that Martin was in personal danger he offered an indulgence of two years and eighty days to all who would render him assistance in his need. He also ordered the magistrates of Nurnburg to seize Gregory's property and expel him or deliver him up for punishment. We next find Gregory aiding Diether, Archbishop of Cologne, in his quarrel with Pius over the unprecedented and extortionate demand of the Holy See for annates; but Diether resigned, Sigismund made his peace, and Gregory was abandoned to his excommunication, even the city of Nurnburg withdrawing its protection. He then took refuge in Bohemia with George Podiebrad, whom he served efficiently as a controversialist, earning a special denunciation as a heretic of the worst type from Paul II., in 1469; but Podiebrad died in 1471. Gregory then went to Saxony, where Duke Albert protected him and effected his reconciliation with Sixtus IV. He was absolved at Easter, 1472, only to die in the following August, after spending a quarter of a century in ceaseless combat with the papacy.*

If Gregory of Heimburg embodies the revolt of the ruling classes against Rome, Hans of Niklaushausen shows us the restless spirit of opposition to sacerdotalism which was spreading among the lower strata of society. Hans Böheim was a wandering drummer or fifer from Bohemia, who chanced to settle at Niklaushausen, near Wurzburg. He doubtless brought with him the revolutionary ideas of the Hussites, and he seems to have entered into an alliance with the parish priest and a Mendicant Friar or Beghard. He began to have revelations from the Virgin which suited so exactly the popular wishes that crowds speedily began to assemble to listen to him. She instructed him to announce to her people that Christ could no longer endure the pride, the avarice,

* Ullmann, op. cit. I. 195–207.—Æn. Sylvii Epist. 400 (Opp. 1571, p. 932).—Fasciculus Rerum Expetendarum et Fugiendarum II. 115–28 (Ed. 1690).—Freher et Struv. II. 187–266.—Wadding. aun. 1461, No. 5.—Ripoll III. 466.—Chron. Glassberger ann. 1462.

and the lust of the priesthood, and that the world would be destroyed in consequence of their wickedness, unless they promptly showed signs of amendment. Tithes and tribute should be purely voluntary, tolls and customs dues were to be abolished, and game was no longer to be preserved. As the fame of these revelations spread, crowds flocked to hear the inspired teacher, from the Rhinelands, Bavaria, Thuringia, Saxony, and Misnia, so that at times he addressed an audience of twenty thousand to thirty thousand souls. So great was the reverence felt for him that those who could touch him deemed themselves sanctified, and fragments of his garments were treasured as relics, so that his clothes were rent in pieces whenever he appeared, and a new suit was requisite daily. That no one doubted the truth of the Virgin's denunciations of the clergy shows the nature of the popular estimation of the Church, for the vast crowds who came eagerly to listen were by no means composed of the dangerous elements of society. They were peaceful and orderly; men and women slept in the neighboring fields and woods and caves without fear of robbery or violence; they had money to spend, moreover, for the offerings of gold and silver, jewels, garments, and wax were large—large enough, indeed, to tempt the greed of the potentates, for after the downfall of Hans the spoils were divided between the Count of Wertheim, suzerain of Niklaushausen, the Bishop of Wurzburg, and his metropolitan, the Archbishop of Mainz. The latter used a portion of his plunder in building a citadel near Mainz, the destruction of which soon afterwards by fire was generally regarded as indicating the displeasure of the Virgin.

Bishop Rudolph of Würzburg repeatedly forbade the pilgrimage to Niklaushausen, but in vain, and at length he was led to take more decided steps. The great festivity of the region was the feast of St. Kilian, the martyr of Würzburg, falling on July 8. On the Sunday previous, July 6, 1476, Hans significantly told his audience to return the following Saturday armed, but to leave their women and children at home. Matters were evidently approaching a crisis, and the bishop did not wait for the result, but sent a party of guards, who seized Hans and conveyed him to a neighboring stronghold. The next day about six thousand of his deluded followers, including many women and children, set out for the castle, without arms, believing that its walls would fall at

their demand. They refused to disperse when summoned, but were readily scattered by a sally of men-at-arms, supported by a discharge from the cannon of the castle, in which many were slain. Hans was easily forced by torture to confess the falsity of his revelations and the deceits by which he and his confederates had stimulated the excitement by false miracles; but his confession did not avail him, and he was condemned to be burned. At the place of execution his followers expected divine interference, and to prevent enchantment the executioner shaved him from head to foot. He walked resolutely to the stake, singing a hymn, but his fortitude gave way and he shrieked in agony as the flames reached him. To prevent his ashes from being treasured as relics, they were carefully collected and cast into the river. The priest and Beghard who had served as his confederates sought safety in flight, but were caught and confessed, after which they were discharged; but two peasants—one who had suggested the advance upon the castle and one who had wounded the horse of one of the guards who captured Hans—were beheaded.*

If Gregory of Heimburg and Hans of Niklaushausen represent the antagonism to Rome which pervaded the laity from the highest to the lowest, John von Ruchrath of Wesel indicates that even in the Church the same spirit was not wanting. One of the most eminent theologians and preachers of whom Germany could boast, celebrated in the schools as the "Light of the World" and the "Master of Contradictions," he was a hardy and somewhat violent disputant, who in his sermons had no scruple in presenting his opinions in the most offensive shape. Like Luther, of whom he was the true precursor, he commenced by an assault upon indulgences, moved thereto by the Jubilee of 1450, when pious Europe precipitated itself upon Rome to take heaven by assault. Step by step he advanced to strip the Church of its powers, and was led to reject the authority of tradition and the fathers, recurring to Scripture as the sole basis of authority. He even banished from the creed the word "*Filioque*," and his predestinarian views deprived the Church of all the treasures of salvation. How little he recked of the feelings of those whose faith he assailed is seen in his remark that if fasting was instituted by St. Peter, it was probably to obtain a better market for his fish.

* Trithem. Chron. Hirsaug. ann. 1476.—Ullmann, op. cit. I. 377 sqq.

It shows how rusty had become the machinery of persecution and the latitude allowed to free speech that John of Wesel was permitted so long, without interference, to ripen into a heresiarch and to disseminate from the pulpit and professorial chair these opinions, as dangerous as any emitted by Waldenses, Wickliffites, or Hussites. In fact, but for the bitter quarrel between the Realists and Nominalists, which filled the scholastic world with strife, it is probable that he would have been unmolested to the end and enabled to close his days in peace. He was a leader of the Nominalists, and the Dominican Thomists of Mainz were resolved to silence him. The Archbishop of Mainz was Diether of Isenburg, who had been forced to abandon his see in 1463, but had resumed it in 1475 on the death of his competitor, Adolph of Nassau; he did not wish another conflict with Rome, to which he was exposed in consequence of his public denunciations of the papal auctions of the archiepiscopal pallium; he was threatened with this unless he would surrender John of Wesel as a victim, and he yielded to the pressure in 1479.

In the great province of Mainz there was no inquisitor; trial by the regular episcopal officials would be of uncertain result; and as there was a Dominican inquisitor at Cologne, in the person of Friar Gerhard von Elten, he was sent for. He came, accompanied by Friar Jacob Sprenger, not yet an inquisitor, but whom we shall see hereafter in that capacity busy in burning witches. With him came the theologians from the universities of Heidelberg and Cologne, who were to sit as experts and assessors, and so carefully were they selected that one of the Heidelberg doctors, to whom we are indebted for an account of the proceedings, tells us that among them all there was but one Nominalist. He evidently regards the whole matter as an incident in the scholastic strife, and says that the accused would have been acquitted had he been allowed counsel and had he not been so harshly treated.

The proceedings are a curious travesty of the inquisitorial process, which show that, however much its forms had been forgotten, the principle was rigidly maintained of treating the accused as guilty in advance. There was no secrecy attempted; everything was conducted in an assembly consisting of laymen as well as ecclesiastics, prominent among whom we recognize the Count of Wertheim, fresh from the plunder of Hans of Niklaushausen.

After a preliminary meeting, when the assembly convened for business, February 8, 1479, the inquisitor von Elten presided, with Archbishop Diether under him, and opened the proceedings by suggesting that two or three friends of the accused should warn him to repent of his errors and beg for mercy, in which case he should have mercy, but otherwise not. A deputation was thereupon despatched, but their mission was not speedily performed; the inquisitor chafed at the delay, and began blustering and threatening. A high official was sent to hurry the matter, but at that moment John of Wesel entered, pallid, bent with age, leaning on his staff, and supported by two Franciscans. He was made to sit on the floor; von Elten repeated to him the message, and when he attempted to defend himself he was cut short, badgered and threatened, until he was brought to sue for pardon. After this he was put through a long and exhausting examination, and was finally remanded until the next day. A commission consisting principally of the Cologne and Heidelberg doctors was appointed to determine what should be done with him. The next day he was again brought out and examined afresh, when he endeavored to defend his views. "If all men renounce Christ," he said, "I will still worship him and be a Christian," to which von Elten retorted, "So say all heretics, even when at the stake." Finally it was resolved that three doctors should be deputed, piously to exhort him to abandon his errors. As in the case of Huss, it was not his death that was wanted, but his humiliation.

On the 10th the deputies labored with him. "If Christ were here," he told them, "and were treated like me, you would condemn him as a heretic—but he would get the better of you with his subtlety." At length he was persuaded to acknowledge that his views were erroneous, on the deputies agreeing to take the responsibility on their own consciences. He had long been sick when the trial was commenced, all assistance was withheld from him; age, weakness, and the dark and filthy dungeon from which he had vainly begged to be relieved broke down his powers of resistance, and he submitted. He publicly recanted and abjured, his books were burned before his face, and he was sentenced to imprisonment for life in the Augustinian monastery of Mainz. He did not long survive his mortification and misery, for he died in 1481. The trial excited great interest among all the scholars

of Germany, who were shocked at this treatment of a man so eminent and distinguished. Yet his writings survived him and proved greatly encouraging to the early Reformers. Melanchthon enumerates him among those who by their works kept up the continuity of the Church of Christ.*

It is evident from this case that the Inquisition, though not extinct in Germany, was not in working order, and that even where it existed nominally a special effort was requisite to make it function. Still we hear occasionally of the appointment of inquisitors, and from the career of Sprenger we know that their labors could be fruitfully directed to the extirpation of witchcraft. Sorcery, indeed, had become the most threatening heresy of the time, and other spiritual aberrations were attracting little attention. In the elaborate statutes issued by the Synod of Bamberg, in 1491, the section devoted to heresy dwells at much length on the details of witchcraft and magic, and mentions only one other doctrinal error—the vitiation of sacraments in polluted hands—and it directs that all who neglect to denounce heretics are to be themselves treated as accomplices, but it makes no allusion to the Inquisition. Still there is an occasional manifestation showing that inquisitors existed and sometimes exercised their powers. I shall hereafter have occasion to refer to the case of Herman of Ryswick, who was condemned and abjured in 1499, escaped from prison, and was burned as a relapsed by the inquisitor at The Hague, in 1512, and only allude to it here as an evidence of continued inquisitorial activity.†

The persecution of John Reuchlin, like that of John of Wesel, sprang from scholastic antagonisms, but its development shows how completely, during the interval, the inquisitorial power had wasted away. Reuchlin was a pupil of John Wessel of Groningen; as the leader of the Humanists, and the foremost representative in Germany of the new learning, he was involved in bitter controversy with the Dominicans, who, as traditional Thomists, were ready to do battle to the death for scholasticism. The ferocious

* D'Argentré I. II. 291–8.—Ullmann, op. cit. I. 258–9, 277–94, 356–7.—Trithem. Chron. Hirsaug. ann. 1479.—Conr. Ursperg. Chron. Continuat. ann. 1479.—Melanchthon. Respons. ad Bavar. Inquis., Witebergæ, 1559, Sig. B 3.

† Ripoll IV. 5.—Synod Bamberg. ann. 1491, Tit. 44 (Ludewig Scriptt. Rer. Germ. I. 1242–44).—D'Argentre I. II. 342.

jocularity with which Sebastian Brandt dilates, in his most finished Latinity, upon the torture and burning of four Dominicans at Berne, in 1509, for frauds committed in the controversy over the Immaculate Conception, indicates the temper which animated the hostile parties, even as its lighter aspect is seen in the unsparing satire of Erasmus and of the *Epistolæ Obscurorum Virorum.* When, therefore, Reuchlin stood forward to protect Jews and Jewish literature against the assaults of the renegade Pfefferkorn, the opportunity to destroy him was eagerly seized. In 1513 a Dominican inquisitor, the Prior Jacob von Hochstraten, came from Cologne to Mainz on an errand precisely similar to that of his predecessor von Elten. Unlike John of Wesel, however, Reuchlin felt that he could safely appeal to Rome, where Leo X. was himself a man of culture and a Humanist. Leo was well disposed, and commissioned the Bishop of Speier to decide the question, which was in itself a direct blow at the inquisitorial power. Still more contemptuously damaging was the bishop's judgment. Reuchlin was declared free of all suspicion of heresy, the prosecution was pronounced frivolous, and the costs were put upon Hochstraten, with a threat of excommunication for disobedience. This was confirmed at Rome, in 1415, where silence was imposed on Reuchlin's accusers under a penalty of three thousand marks. The Humanists celebrated their victory with savage rejoicing. Eleutherius Bizenus printed a tract summoning, in rugged hexameters, all Germany to assist in the triumph of Reuchlin, in which Hochstraten—that thief, who as accuser and judge persecutes the innocent—marches in chains, with his hands tied behind his back, while Pfefferkorn, with ears and nose cut off, is dragged by a hook through his heels, face downwards, until his features lose the semblance of humanity. The Dominicans are characterized as worse than Turks, and more worthy to be resisted, and the author wonders what unjust pope and cowardly emperor had enabled them to impose their yoke on the land. These were brave words, but premature. The quarrel had attracted the attention of all Europe, the Dominican Order itself and all it represented were on trial, and it could not afford to submit to defeat. Hochstraten hastened to Rome; the Dominicans of the great University of Cologne did not hesitate to say that if the pope maintained the sentence they would appeal to the future council, they would refuse to abide by

his decision, they would pronounce him to be no pope and organize a schism, and much more, which shows upon what a slender tenure the papacy held the allegiance of its Janissaries. Leo cowered before the storm which he had provoked, and in 1416 he issued a mandate superseding the sentence, but the spirit of insubordination was growing strong in Germany, and Franz von Sickingen, the free-lance, compelled its observance. As the Lutheran revolt grew more threatening, however, the support of the Dominicans became more and more indispensable, and in 1420 Leo settled the matter by setting aside the decision of the Bishop of Speier, imposing silence on Reuchlin, and laying all the costs on him. Hochstraten, moreover, was restored to his office.*

The reparation came too late to render the Inquisition of any service, now that its efficiency was more sorely needed than ever before. Had it existed in Germany in good working order, Luther's career would have been short. When, October 31, 1517, he nailed his propositions concerning indulgences on the church-door of Wittenberg, and publicly defended them, an inquisitor such as Bernard Gui would have speedily silenced him, either destroying his influence by forcing him to a public recantation, or handing him over to be burned if he proved obstinate. Hundreds of hardy thinkers had been thus served, and the few who had been found stout enough to withstand the methods of the Holy Office had perished. Fortunately, as we have seen, the Inquisition never had struck root in German soil, and now it was thoroughly discredited and useless. Hochstraten's hands were tied; Doctor John Eck, inquisitor for Bavaria and Franconia, was himself a Humanist, who could argue and threaten, but could not act.

In France the University had taken the place of the almost forgotten Inquisition, repressing all aberrations of faith, while a centralized monarchy had rendered—at least until the Concordat of Francis I.—the national Church in a great degree independent of the papacy. In Germany there was no national Church; there was subjection to Rome which was growing unendurable for

* Pauli Langii Chron. Citicens. (Pistorii Rer. Germ. Scriptt. I. 1276-8). — Gieseler, Lehrbuch der Kirchengeschichte II. iv. 532 sq.—Herzog, Abriss, II. 397-401.—Spalatini Annal. ann. 1515 (Menken. II. 591).—Eleuth. Bizeni Joannis Reuchlin Encomion (sine nota, sed c. ann. 1516).—H. Corn. Agrippæ Epist. II. 54.

financial reasons, but there was nothing to take the place of the Inquisition, and a latitude of speech had become customary which was tolerated so long as the revenues of St. Peter were not interfered with. This perhaps explains why the significance of Luther's revolt was better appreciated at Rome than on the spot. After he had been formally declared a heretic by the Auditor-general of the Apostolic Chamber at the instance of the promotor fiscal, the legate, Cardinal Caietano, wrote that he could terminate the matter himself, and that it was rather a trifling affair to be brought before the pope. He did not fulfil his instructions to arrest Luther and tell him that if he would appear before the Holy See, to excuse himself, he would be treated with undeserved clemency. After the scandal had been growing for a twelvemonth, Leo again wrote to Caietano to summon Doctor Martin before him, and, after diligent examination, to condemn or absolve him as might prove requisite. It was now too late. Insubordination had spread, and rebellion was organizing itself. Before these last instructions reached Caietano, Luther came in answer to a previous summons, but, though he professed himself in all things an obedient son of the Church, he practically manifested an ominous independence, and was conveyed away unharmed. The legate trusted to his powers as a disputant rather than to force; and had he attempted the latter, he had no machinery at hand to frustrate the instructions given by the Augsburg magistrates for Luther's protection. In the paralysis of persecution the inevitable revolution went forward.*

* Ripoll IV. 378.—Lutheri. Opp., Jenæ, 1564, I. 185 sqq.—Henke, Neuere Kirchengeschichte, I. 42–6.

CHAPTER VII.

BOHEMIA.

THERE is no historical foundation for the legend that Peter Waldo's missionary labors carried him into Bohemia, where he died, but there can be no question that the Waldensian heresy found a foothold among the Czechs at a comparatively early date. Bohemia formed part of the great archiepiscopal province of Mainz, whose metropolitan could exercise but an ineffective supervision over a district so distant. The supremacy of Rome pressed lightly on its turbulent ecclesiastics. In the last decade of the twelfth century a papal legate, Cardinal Pietro, sent thither to levy a tithe for the recovery of the Holy Land, was scandalized to find that the law of celibacy was unknown to the secular priesthood; he did not venture to force it on those already in orders, and his efforts to make postulants take the vow of continence provoked a tumult which required severe measures of suppression. In a Church thus partially independent the abuses which stimulated revolt elsewhere might perhaps be absent, but the field for missionary labor lay open and unguarded.*

We have seen how the Inquisitor of Passau, about the middle of the thirteenth century, describes the flourishing condition of the Waldensian churches in Austria, along the borders of Bohemia and Moravia, and the intense zeal of propagandism which animated their members. Close to the west, moreover, they were to be found in the diocese of Ratisbon. That the heresy should cross the boundary line was inevitable, and it ran little risk of detection and persecution by a worldly and slothful priesthood, until it gained strength enough to declare itself openly. The alarm was first sounded by Innocent IV. in 1245, who summoned the prelates

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* Dubrav. Hist. Bohem. Lib. 14 (Ed. 1587, pp. 380–1).

of Hungary to intervene, as those of Bohemia apparently were not to be depended upon, and there was evidently no inquisitorial machinery which could be employed. Innocent describes the heresy as established so firmly and widely that it embraced not only the simple folk, but also princes and magnates, and it was so elaborately organized that it had a chief who was reverenced as pope. These are all declared excommunicate, their lands confiscated for the benefit of the first occupant, and any who shall relapse after recantation are to be abandoned to the secular arm without a hearing, in accordance with the canons.*

We have no means of knowing whether any action was taken in consequence of this decree, but if efforts were made they did not succeed in eradicating the heresy. In 1257 King Premysl Otokar II. applied to Alexander IV. for aid in its suppression, as it continued to spread, and to this request was due the first introduction of the Inquisition in Bohemia. Two Franciscans, Lambert the German and Bartholomew lector in Brünn, received the papal commission as inquisitors throughout Bohemia and Moravia. It is fair to assume that they did their duty, but no traces of their activity have reached us, nor is there any evidence that their places were filled when they died or retired. The Inquisition may be considered as non-existent, and when, after a long interval, we again hear of persecution, it is in a shape that shows that the Bishop of Prague, like his metropolitan of Mainz, was not disposed to invite papal encroachments on his jurisdiction. In 1301 a synod of Prague deplored the spread of heresy and ordered every one cognizant of it to give information to the episcopal inquisitors, from which we may infer that heretics were active, that they had been little disturbed, and that the elaborate legislation

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* Palacky, Beziehungen der Waldenser, Prag, 1869, p. 10. — Potthast No. 11818.

Palacky (pp. 7–8) conjectures that these heretics were Cathari, but his reasoning is quite inadequate to overcome the greater probability that they were of Waldensian origin. He is, however, doubtless correct in suggesting that the allusion to princes and magnates may properly connect the movement with the commencement of the conspiracy which finally dethroned King Wenceslas I in 1253. Wenceslas was a zealous adherent of the papacy and opponent of Frederic II., and the connection between antipapal politics and heresy was too close for us to discriminate between them without more details than we possess.

elsewhere in force for the detection and punishment of heresy was virtually unknown in Bohemia.*

In 1318 John of Drasic, the Bishop of Prague, was summoned to Avignon by John XXII. to answer accusations brought against him by Frederic of Schonberg, Canon of Wyschehrad, as a fautor of heresy. The complaint set forth that heretics were so numerous that they had an archbishop and seven bishops, each of whom had three hundred disciples. The description of their faith would seem to indicate that there were both Waldenses and Luciferans—the latter forming part of the sect which we have seen described about this time as flourishing in Austria, where they are said to have been introduced by missionaries from Bohemia—and that their doctrines have been commingled. They are described as considering oaths unlawful; confession and absolution could be administered indifferently by layman or priest; rebaptism was allowed; the divine unity and the resurrection of the dead were denied; Jesus had only a phantasmic body; and Lucifer was expected finally to reign. Of course there were also the customary accusations of sexual excesses committed in nocturnal assemblies held in caverns, which only proves that there was sufficient dread of persecution to prevent the congregations from meeting openly. The good bishop, it appears, only permitted these wretches to be arraigned by his inquisitors after repeated pressure from John of Luxembourg, the king. Fourteen of them were convicted and handed over to the secular arm, but the bishop interfered, to the great disgust of the king, and forcibly released them, except a physician named Richard, who was imprisoned; the bishop, moreover, discharged the inquisitors, who evidently were his own officials and not papal appointees. These were serious offences on the part of a prelate, and he expiated his lenity by a confinement of several years in Avignon. Possibly his hostility to the Franciscans may have rendered him an object of attack.†

Papal attention being thus called to the existence of heresy in

* Wadding. ann. 1257, No. 16. — Potthast No. 16819. — Höfler, Prager Concilien, Einleitung, p. xix.

† Palacky, op. cit. pp. 11–13.—Schrödl, Passavia Sacra, Passau, 1879, p. 242.—Dubravius (Hist. Bohem. Lib. 20) relates that in 1315 King John burned fourteen Dolcinists in Prague. Palacky (ubi sup.) argues, and I think successfully, that this relates to the above affair and that there were no executions.

the east of Europe, and to the inefficiency of the local machinery for its extermination, steps were immediately taken for the introduction of the Inquisition. In 1318 John XXII. commissioned the Dominican Peregrine of Oppolza and the Franciscan Nicholas of Cracow as inquisitors in the dioceses of Cracow and Breslau, while Bohemia and Poland were intrusted to the Dominican Colda and the Franciscan Hartmann. As usual, the secular and ecclesiastical powers were commanded to afford them assistance whenever called upon. Poland, doubtless, was as much in need as Bohemia of inquisitorial supervision, for John Muscata, the Bishop of Cracow, was as negligent as his brother of Prague, and drew upon himself in 1319 severe reprehension from John XXII. for the sloth and neglect which had rendered heresy bold and aggressive in his diocese. This does not seem to have accomplished much, for in 1327 John found himself obliged to order the Dominican Provincial of Poland to appoint inquisitors to stem the flood of heresy which was infecting the people from regions farther west. Germany and Bohemia apparently were sending missionaries, whose labors met with much acceptance among the people. King Ladislas was especially asked to lend his aid to the inquisitors; he promptly responded by ordering the governors of his cities to support them with the civil power, and their vigorous action was rewarded with abundant success.*

Among these heretics there may have been Brethren of the Free Spirit, but they were probably for the most part Waldenses, who at this time had a thoroughly organized Church in Bohemia, whence emissaries were sent to Moravia, Saxony, Silesia, and Poland. They regarded Lombardy as their headquarters, to which they sent their youth for instruction, together with moneys collected for the support of the parent Church. All this could not be concealed from the vigilance of the inquisitors appointed by John XXII. No doubt active measures of repression were carried out with little intermission, though chance has only preserved an indication of inquisitorial proceedings about the year 1330. Saaz and Laun are mentioned as the cities in which heresy was most prevalent. With the open rupture between the papacy and Louis

* Wadding. ann. 1318, No. 2–6.—Ripoll II. 138–9, 174–6.—Gustav Schmidt, Päbstliche Urkunden und Regesten, Halle, 1886, p. 105.—Raynald. ann. 1319, No. 43.

of Bavaria its repression became more difficult, although Bohemia under John of Luxembourg remained faithful to the Holy See. Heretics increased in Prague and its neighborhood; after a brief period of activity the Inquisition seems to have disappeared; John of Drasic, whose tolerance we have seen, was still Bishop of Prague, and fresh efforts were necessary. In 1335 Benedict XII. accordingly appointed the Franciscan Peter Naczeracz as inquisitor in the diocese of Olmütz and the Dominican Gall of Neuburg for that of Prague. As usual, all prelates were commanded to lend their aid, and King John was specially reminded that he held the temporal sword for the purpose of subduing the enemies of the faith. His son, the future Emperor Charles IV., at that time in charge of the kingdom, was similarly appealed to.*

In the subject province of Silesia, about the same period, a bold heresiarch known as John of Pirna made a deep impression. He was probably a Fraticello, as he taught that the pope was Antichrist and Rome the Whore of Babylon and a synagogue of Satan. In Breslau the magistrates and people espoused his doctrines, which were openly preached in the streets. Breslau was ecclesiastically subject to Poland, and in 1341 John of Schweidnitz was commissioned from Cracow as inquisitor to suppress the growing heresy. The people, however, arose, drove out their bishop and slew the inquisitor, for which they were subsequently subjected to humiliating penance, and John of Pirna's bones were exhumed and burned. The unsatisfied vengeance of Heaven added to their punishment by a conflagration which destroyed nearly the whole city, during which a pious woman saw an angel with a drawn sword casting fiery coals among the houses.†

Bohemia and its subject provinces were thus thoroughly infected with heresy, mostly Waldensian, when several changes took place which increased the prominence of the kingdom and stimulated vastly its intellectual activity. In 1344 Prague was separated from its far-off metropolis of Mainz and was erected into an archbishopric, for which the piety of Charles, then Margrave of Bohemia, provided a zealous and enlightened prelate in

* Palacky, op. cit. pp. 15–18. — Flac. Illyr. Catal. Test. Veritatis Lib. xv. p. 1505 (Ed. 1608).—Raynald. ann. 1335, No. 61–2.—Wadding. ann. 1335, No. 3–4.

† Krasinsky, Reformation in Poland, London, 1838, I. 55–6.—Raynald. ann. 1341, No. 27.

the person of Arnest of Pardubitz. Two years later, in 1346, Charles was elected King of the Romans by the Electors of Trèves and Cologne in opposition to Louis of Bavaria, as the supporter of the papacy; and a month later he succeeded to the throne of Bohemia through the knightly death of the blind King John at Crécy. Still more influential and far-reaching in its results was the founding in 1347 of the University of Prague, to which the combined favor of pope and emperor gave immediate lustre. Archbishop Arnest assumed its chancellorship, learned schoolmen filled its chairs; students flocked to it from every quarter, and it soon rivalled in numbers and reputation its elder sisters of Oxford, Paris, and Bologna.*

During the latter half of the century, Bohemia, under these auspices, was one of the most flourishing kingdoms of Europe. Its mines of the precious metals gave it wealth; the freedom enjoyed by its peasantry raised them mentally and morally above the level of the serfs of other lands; culture and enlightenment were diffused from its university. It was renowned throughout the Continent for the splendor of its churches, which in size and number were nowhere exceeded. At the monastery of Königsaal, where the Bohemian kings lay buried, around the walls of the garden the whole of the Scriptures, from Genesis to Revelations, was engraved, with letters enlarging in size with their distance from the ground, so that all could be easily read. In the bitter struggles of after generations the reign of King Charles was fondly looked back upon as the golden age of Bohemia. Wealth and culture, however, were accompanied with corruption. Nowhere were the clergy more worldly and depraved. Concubinage was well-nigh universal, and simony pervaded the Church in all its ranks, the sacraments were sold and penitence compounded for. All the abuses for which clerical immunity furnished opportunity flourished, and the land was overrun by vagrants whose tonsure gave them charter to rob and brawl, and dice and drink. The influences from above which moulded the Bohemian Church may be estimated from a single instance. In 1344 Clement VI. wrote to Arnest, then simple Bishop of Prague,

* Werunsky Excerptt. ex Registt. Clem. VI. pp. 28, 47.—Raynald. ann. 1347, No. 11.

calling attention to the numerous cases in his diocese wherein preferment had been procured for minors either by force or simony. The horror which the good pope expresses at this abuse is significantly illustrated by his having not long before issued dispensations to five members of one family in France, aged respectively seven, eight, nine, ten, and eleven years, to hold canonries and other benefices. Apparently the Bohemians had not taken the proper means to obtain the sanction of the curia for such infraction of the canons, so Clement ordered Arnest to dispossess the incumbents in all such cases, and to impose due penance on them. But he was also instructed, in conjunction with the papal collector, to force them to compound with the papal camera for all the revenues which they had thus illegally received, and after they had undergone this squeezing process he was authorized to reinstate them.*

Such unblushing exhibitions of rapacious simony did not tend either to the purity of the Bohemian Church, or to enhance its respect for the Holy See, especially as the frequently recurring papal exactions strained to the last degree the relations between the papacy and the German churches. When, in 1354, Innocent VI., to carry on his Italian wars, suddenly demanded a tenth of all the ecclesiastical revenues of the empire, it threw, for several years, the whole German Church into an uproar of rage and indignation. Some prelates refused to pay, and, when legal proceedings were commenced against them, formulated appeals which were contemptuously rejected as frivolous. The Bishops of Camin and Brandenburg were only compelled to yield by the direct threat of excommunication. Others pleaded poverty, and were mockingly reminded of the large sums which they had succeeded in exacting from their miserable subjects; others made the best bargain they could, and compounded for yearly payments; others banded together and formed associations mutually pledged to re-

* Œn. Sylvii Hist. Bohem. c. 36.—Naucleri Chron. ann. 1360.—Höfler, Prager Concilien, pp. 2, 3, 5, 7.—Loserth, Hus und Wicklif, Prag, 1884, pp. 261 sqq.—Werunsky Excerptt. ex Registt. Clem. VI. pp. 1, 2, 3, 13, 25.

Dispensations for children to hold preferment were an abuse of old date, as we have seen in a former chapter. In 1297 Boniface VIII. authorized a boy of Florence, twelve years old, to take a benefice involving the cure of souls.—Faucon, Registres de Boniface VIII. No. 1761, p. 666.

sist to the last. Frederic, Bishop of Ratisbon, took the audacious step of seizing the papal collector and conveying him away to a convenient castle. An ambush was laid for the Bishop of Cavaillon, the papal nuncio charged with the business, and his life, and that of his assistant, Henry, Archdeacon of Liége, were only saved by the active interposition of William, Archbishop of Cologne. When, in 1372, the levy was repeated by Gregory XI., the same spirit of resistance was aroused. The clergy of Mainz bound themselves to each other in a solemn engagement not to pay it, and Frederic, Archbishop of Cologne, promised his clergy to give them all the assistance he safely could in their refusal to submit. Trifling incidents such as these afford us a valuable insight into the complex relations between the Holy See and the churches of Christendom. On the one hand, there was the superstitious awe generated by five centuries of unquestioned domination as the representative of Christ, and there was, moreover, the dread of the material consequences of unsuccessful revolt. On the other, there was the indignation born of lawless oppression ever exciting to rebellion, and the clear-sighted recognition of the venality and corruption which rendered the Roman curia a source of contagion for all Europe. There was ample inflammable material, which the increasing friction might at any moment kindle into flame.*

Bohemia was peculiarly dangerous soil, for it was thoroughly interpenetrated with the leaven of heresy. We hear nothing of papal inquisitors after those commissioned by Benedict XII. in 1335, and it is presumable that for a while the heretics had peace. Archbishop Arnest, however, soon after his accession, set resolutely to work to purify the morals of his Church and to uproot heresy. He held synods frequently, he instituted a body of Correctors whose duty it was to visit all portions of the province and punish all transgressions, and he organized an episcopal Inquisition for the purpose of tracking out and suppressing heresy. In the fragmentary remains of his synodal acts, the frequency and earnestness with which this latter duty is insisted upon serve as a measure of its importance, and of the numbers of those who had

* Werunsky op. cit. pp. 89, 94, 98, 99, 102, 111, 120, 135, 136, 140, 141.—Gudeni Cod. Diplom. III. 509.—Hartzheim Concil. Germ. IV. 510.

forsaken the Church. In the earliest synod whose proceedings have reached us the first place is given to this subject; the archdeacons were directed to make diligent perquisition in their respective districts, both personally and through the deans and parish priests, without exciting suspicion, and all who were found guilty or suspect of heresy were to be forthwith denounced to the archbishop or the inquisitor. Similar instructions were issued in 1355; and after Arnest's death, in 1364, his successor, John Ocko, was equally vigilant, as appears from the acts of his synods in 1366 and 1371. The neighborhood of Pisek was especially contaminated, and from the acts of the Consistory of 1381 it appears that a priest named Johl, of Pisek, could not be ordained because both his father and grandfather had been heretics. What was this heresy that thus descended from generation to generation is not stated, but it was doubtless Waldensian. In this same year Archbishop John, as papal legate for his own province and for the dioceses of Ratisbon, Bamberg, and Misnia, held a council at Prague, in which he mournfully described the spread of the Waldenses and Sarabites—the latter probably Beghards. He sharply reproved the bishops who, through sloth or parsimony, had not appointed inquisitors, and threatened that if they did not do so forthwith, he would do it himself. When, ten years later, the Church took the alarm and acted vigorously, the Waldenses of Brandenburg, who were prosecuted, declared that their teachers came from Bohemia.*

In all this activity for the suppression of heresy it is worthy of note that the episcopal Inquisition alone is referred to. In fact there was no papal Inquisition in Bohemia. The bull of Gregory XI., in 1372, ordering the appointment of five inquisitors for Germany, confines their jurisdiction to the provinces of Cologne, Mainz, Utrecht, Magdeburg, Salzburg, and Bremen, and pointedly omits that of Prague, although the zeal of Charles IV. might have been expected to secure the blessings of the institution for his hereditary realm.† This is the more curious, more-

* Hofler, Prager Concilien, pp. 2, 5, 12, 14, 26–7.—Loserth, Hus und Wiclif, pp. 32–33, 37.—W. Preger, Beitrage, p. 51.—Flac. Illyr. Catal. Test. Veritatis Lib. xv. p. 1506 (Ed. 1608).

† Mosheim de Beghardis p. 381.

over, since the intellectual movement started by the University of Prague was producing a number of men distinguished not only for learning and piety, but for their bold attacks on the corruptions of the Church, and their questioning of some of its most profitable dogmas. The appearance of these precursors of Huss is one of the most remarkable indications of the tendencies of the age in Bohemia, and shows how the Waldensian spirit of revolt had unconsciously spread among the population.

Conrad of Waldhausen, who died in 1369, is reckoned the earliest of these. He maintained strict orthodoxy, but his denunciation in his sermons of the vices of the clergy, and especially of the Mendicants, created a deep sensation. More prominent in every way was Milicz of Kremsier, who, in 1363, resigned the office of private secretary to the emperor, the function of Corrector intrusted to him by Archbishop Arnest, and several rich preferments, in order to devote himself exclusively to preaching. His sermons in Czech, German, and Latin were filled with audacious attacks on the sins and crimes of clergy and laity, and the evils of the time led him to prophesy the advent of Antichrist between 1365 and 1367. In the latter year he went to Rome in order to lay before Urban V. his views on the present and future of the Church. While awaiting Urban's advent from Avignon, he affixed on the portal of St. Peter's an announcement of a sermon on the subject, which led the Inquisition to throw him into prison, but in October, on the arrival of the pope, he was released and treated with distinction. On his return to Prague he preached with greater violence than ever. To get rid of him the priesthood accused him to the emperor and archbishop, but in vain. Then they formulated twelve articles of accusation against him to the pope, and obtained, in January, 1374, from Gregory XI., bulls denouncing him as a persistent heresiarch who had filled all Bohemia, Poland, Silesia, and the neighboring lands with his errors. According to them, he taught not only that Antichrist had come, that the Church was extinct, that pope, cardinals, bishops and prelates showed no light of truth, but he permitted to his followers the unlimited gratification of their passions. Milicz undauntedly pursued his course until an inquisitorial prosecution was commenced against him, when he appealed to the pope. In Lent, 1374, he went to Avignon, where he readily proved his

innocence, and on May 21 was admitted to preach before the cardinals, but he died June 29, before the formal decision of his case was published. It is highly probable that he was a Joachite—one of those who, as we shall see hereafter, reverenced the memory and believed in the apocalyptic prophecies of the Abbot Joachim of Flora.*

The spirit of indignation and disquiet did not confine itself to denunciations of clerical abuses. Men were growing bolder, and began to question some of the cherished dogmas which gave rise to those abuses. In the synod of 1384 one of the subjects discussed was whether the saints were cognizant of the prayers addressed to them, and whether the worshipper was benefited by their suffrages—the mere raising of such a question showing how dangerously bold had become the spirit of inquiry. The man who most fitly represented this tendency was Mathias of Janow, whom the Archbishop John of Jenzenstein utilized in his efforts to reform the incurable disorders of the clergy. Mathias was led to trace the troubles to their causes, and to teach heresies from the consequences of which even the protection of the archbishop could not wholly defend him. In the synod of 1389 he was forced to make public recantation of his errors in holding that the images of Christ and the saints gave rise to idolatry, and that they ought to be banished from the churches and burned; that relics were of no service, and the intercession of saints was useless; while his teaching that every one should be urged to take communion daily foreshadowed the eucharistic troubles which play so large a part in the Hussite excitement. Yet he was allowed to escape with six months' suspension from preaching and hearing confessions outside of his own parochial church, a mistaken lenity which he repaid by continuing to teach the same errors more audaciously than ever, and even urging that the laity be admitted to communion in both elements. Mathias was not alone in his heterodoxy, for in the same synod of 1389 a priest named Andreas was obliged to revoke the same heresy respecting images, and another named Jacob was suspended from preaching for ten years for a still more offensive expression of similar beliefs, with the addition

* Loserth, Hus und Wiclif, pp. 49, 50–2.—Lechler (Real-Encyklopadie, X. 1–3).—Raynald. ann. 1374, No. 10–11.

that suffrages for the dead were useless, that the Virgin could not help her devotees, and that the archbishop had erred in granting an indulgence to those who adored her image, and that the utterances of the holy doctors of the Church are not to be received.*

Other earnest men who prepared the way for what was to follow were Henry of Oyta, Thomas of Stitny, John of Stekno, and Matthew of Cracow. Step by step the progress of free thought advanced, and when, in 1393, a papal indulgence was preached in Prague, Wenceslas Rohle, pastor of St. Martin's in the Altstadt, ventured to denounce it as a fraud, though only under his breath, for fear of the Pharisees. All this, it is evident, could only be favorable to the growth of Waldensianism, as is seen in the activity of the sectaries. It was missionaries from Bohemia who founded the communities in Brandenburg and Pomerania; and, as we have seen, a well-informed writer, in 1395, asserts that they were numbered by thousands in Thuringia, Misnia, Bohemia, Moravia, Austria, and Hungary, notwithstanding that a thousand of them had been converted within two years in the districts extending from Thuringia to Moravia.†

While Bohemia was thus the scene of an agitation the outcome of which no man could foretell, a similar movement was running a still more rapid course in England, which was destined to exercise a decisive influence on the result. The assaults of John Wickliff were the most serious danger encountered by the hierarchy since the Hildebrandine theocracy had been established. For the first time a trained scholastic intellect of remarkable force and clearness, informed with all the philosophy and theology of the schools, was led to question the domination which the Church had acquired over the life, here and hereafter, of its members. It was not the poor peasant or artisan who found the Scriptures in contradiction to the teaching of the pulpit and the confessional, and with the practical examples set by the sacerdotal class; but it was a man who stood in learning and argumentative power on

* Hofler, Prager Concilien, pp. 33, 37–9.—De Schweinitz, History of the Unitas Fratrum (Bethlehem, Pa., 1885, pp. 25–6).

† Loserth, Hus und Wiclif, pp. 54, 56–7, 63–4, 68–9.—Montet, Hist. Lit. des Vaudois, p. 150.—Pseudo-Pilichdorf Tract. contra Waldens. c. 15 (Mag. Bib. Pat. XIII. 315).

a level with the foremost schoolmen of the Middle Ages; who could quote not only Christ and the apostles, but the fathers and doctors of the Church, the decretals and the canons, Aristotle and his commentators; who could weave all these into the dialectics so dear to students and masters of theology, and who could frame a system of philosophy suited to the intellectual wants of the age. It is true that William of Ockham had been bold in his attacks on the overgrown papal system, but he was a partisan of Louis of Bavaria, and, with Marsiglio of Padua, his aim had merely been to set the State above the Church. With the subjection of the empire to the papacy the works of both had perished and their labors had been forgotten. The infidelity of the Averrhoists had never taken root among the people, and had been wisely treated by the Church with the leniency of contempt. It was the secret of Wickliff's influence that he had worked out his conclusions in single-hearted efforts to search for truth; his views developed gradually as he was led from one point to another; he spared neither prince nor prelate; he labored to instruct the poor more zealously perhaps than to influence the great, and men of all ranks, from the peasant to the schoolman, recognized in him a leader who sought to make them better, stronger, more valiant in the struggle with Apollyon. It is no wonder that his work proved not merely ephemeral; that his fame as a heresiarch filled all the schools and became everywhere synonymous with rebellion against the sacerdotal system; that simple Waldenses in Spain and Germany became thereafter known as Wickliffites. Yet the endurance of his teachings was due to his Bohemian disciples; at home, after a brief period of rapid development, they were virtually crushed out by the combined power of Church and State.

As the heresy of Huss was in nearly all details copied from his master, Wickliff, it is necessary, in order to understand the nature of the Hussite movement, to cast a brief glance at the views of the English reformer. About four years after his death, in 1388 and 1389, twenty-five articles of accusation were brought against his followers, whose reply gives, in the most vigorous English, a summary of his tenets. Few documents of the period are more interesting as a picture of the worldliness and corruption of the Church, and of the wrathful indignation aroused by the hideous contrast between the teaching of Christ and the lives of those who

claimed to represent him. It is observable that the only purely speculative error admitted is that concerning the Eucharist; all the others relate to the doctrines which gave to the Church control over the souls and purses of the faithful, or to the abuses arising from the worldly and sensual character of the clergy. It was an essentially practical reform, inspired for the most part with rare common-sense and with wonderfully little exaggeration, considering the magnitude of the evils which pressed so heavily upon Christendom.

The document in question shows the Wickliffite belief to be that the popes of the period were Antichrist; all the hierarchy, from the pope down, were accursed by reason of their greed, their simony, their cruelty, their lust of power, and their evil lives. Unless they give satisfaction "thai schul be depper dampned then Judas Scarioth." The pope was not to be obeyed, his decretals were naught, and his excommunication and that of his bishops were to be disregarded. The indulgences so freely proffered in return for money or for the services of crusaders in slaying Christians were false and fraudulent. Yet the power of the keys in pious hands was not denied—"Certes, as holy prestis of lyvynge and cunnynge of holy writte han keyes of heven and bene vicaris of Jesus Crist, so viciouse prestis, unkonnynge of holy writte, ful of pride and covetise, han keyes of helle and bene vicaris of Sathanas." Though auricular confession might be useful, it was not necessary, for men should trust in Christ. Image-worship was unlawful, and representations of the Trinity were forbidden—"Hit semes that this offrynge ymages is a sotile cast of Antichriste and his clerkis for to drawe almes fro pore men.... Certis, these ymages of hemselfe may do nouther gode nor yvel to mennis soules, but thai myghtten warme a man's body in colde if thai were sette upon a fire." The invocation of saints was useless; the best of them could do nothing but what God ordained, and many of those customarily invoked were in hell, for in modern times sinners stood a better chance of canonization than holy men. It was the same with their feast-days; those of the apostles and early saints might be observed, but not the rest. Song was not to be used in divine service, and prayer was as efficient anywhere as in church, for the churches were not holy—"all suche chirches bene gretely poluted and cursud of God, nomely for sellynge of

leccherie and fals swering upon bokus. Sithen tho chirches bene dunnus of thefis and habitacionis of fendis." Ecclesiastics must not live in luxury and pomp, but as poor men "gyvynge ensaumple of holynes by ther conversacion." The Church must be deprived of all its temporalities, and whatever was necessary for the support of its members must be held in common. Tithes and offerings were not to be given to sinful priests; it was simony for a priest to receive payment for his spiritual ministrations, though he might sell his labor in honest vocations, such as teaching and the binding of books, and though no one was forbidden to make an oblation at mass, provided he did not seek to obtain more than his share in the sacrifice. All parish priests and vicars who did not perform their functions were to be removed, and especially all who were non resident. All priests and deacons, moreover, were to preach zealously, for which no special license or commission was required.

All these tenets of which they were accused the Wickliffites admitted and defended in the most incisive fashion, but there were two articles which they denied. Wickliff's teaching so closely resembled that of the Waldenses that it was natural that the orthodox should attribute to him the two Waldensian errors which regarded all oaths as unlawful, and held that priests in mortal sin could not administer the sacraments. To the former, his followers replied that, though they rejected all unnecessary swearing, they admitted that "If hit be nedeful for to swere for a spedful treuthe men mowe wele swere as God did in the olde lawe." As to the latter, they said that the sinful priest can give sacraments efficient to those who worthily receive them, though he receive damnation unto himself. The prominence of the Fraticelli also suggested the imputation that the Wickliffites believed the entire renunciation of property to be essential to salvation; but this they denied, saying that a man might make lawful gains and hold them, but that he must use them well.*

All these antisacerdotal teachings flowed directly from the

* Arnold's English Works of Wyclif, III. 454–96. Cf. Væ Octuplex (Ib. II. 380); Of Mynystris in the Chirch (Ib. II. 394); Vaughan's Tracts and Treatises, p. 226; Trialogi III. 6, 7; Trialogi Supplem. c. 2.—Loserth, Mittheilungen des Vereines für Gesch. der Deutschen in Böhmen, 1886, pp. 384 sqq.

resoluteness with which Wickliff carried out to its logical conclusion the Augustinian doctrine of predestination, thus necessarily striking at the root of all human mediation, the suffrages of the saints, justification by works, and all the machinery of the Church for the purchase and sale of salvation. In this, as in the rest, Huss followed him, though the distinction between his principles and the orthodox ones of the Thomists and other schoolmen was too subtle to render this point one which the Church could easily condemn.*

The one serious speculative error of Wickliff lay in his effort to reconcile the mystery of the Eucharist with the stubborn fact that after consecration the bread remained bread and the wine continued to be wine. He did not deny conversion into the body and blood of Christ; they were really present in the sacrifice, but his reason refused to acknowledge transubstantiation, and he invented a theory of the remanence of the substance coexisting with the divine elements. Into these dangerous subtleties Huss refused to follow his master. It was the one point on which he declined to accept the reasoning of the Englishman, and yet, as we shall see, it served as a principal excuse for hurrying him to the stake.

Wickliff's career as a heresiarch was unexampled, and its peculiarities serve to explain much that would otherwise be incomprehensible in the growth and tolerance of his doctrines in Bohemia, and in the simplicity with which Huss refused to believe that he could himself be regarded as a heretic. Although, as early as 1377, the assistance which Wickliff rendered to Edward III. in diminishing the papal revenues moved Gregory XI. to command his immediate prosecution as a heretic, yet the political situation was such as to render ineffectual all efforts to carry out these instructions; he was never even excommunicated, and was allowed to die peacefully in his rectory of Lutterworth on the last day of the year 1384. No further action was taken by Rome until the question of his heresy was raised in Prague. Although, in 1409,

* Trialogi II. 14; IV. 22. — Jo. Hus de Ecclesia, c. 1 (Monument. I. fol. 196–7, Ed. 1558).—Wil. Wodford adv. Jo. Wiclefum (Fascic. Rer. Expetend. et Fugiend. I. 250, Ed. 1690).—In the condemnation of the innovations by the Council of Prague, in 1412, predestination is not among the errors enumerated (Höfler, Prager Concilien, p. 72), though it appears in the final proceedings against Huss in the Council of Constance (P. Mladenowic Relatio, Palacky Documenta, p. 317).

Alexander V. ordered Archbishop Zbinco not to permit his errors to be taught or his books to be read, yet when, in 1410, John XXIII. referred his writings to a commission of four cardinals, who convoked an assembly of theologians for their examination, a majority decided that Archbishop Zbinko had not been justified in burning them. It was not until the Council of Rome, in 1413, that there was a formal and authoritative condemnation pronounced, and it was left for the Council of Constance, in 1415, to proclaim Wickliff as a heresiarch, to order his bones exhumed, and to define his errors with the authority of the Church Universal. Huss might well, to the last, believe in the authenticity of the spurious letters of the University of Oxford, brought to Prague about 1403, in which Wickliff was declared perfectly orthodox, and might conscientiously assert that his books continued to be read and taught there.*

The marriage of Anne of Luxembourg, sister of Wenceslas of Bohemia, to Richard II., in 1382, led to considerable intercourse between the kingdoms until her death, in 1394. Many Bohemians visited England during the excitement caused by Wickliff's controversies, and his writings were carried to Prague, where they found great acceptance. Huss tells us that about 1390 they commenced to be read in the University of Prague, and that they continued thenceforth to be studied. No orthodox Bohemian had hitherto ventured as far as the daring Englishman, but there were many who had entered on the same path, to say nothing of the secret Waldensian heretics, and the general feeling excited throughout Germany by the reckless simony and sale of indulgences which marked the later years of Boniface IX. Thus the movement which had been in progress since the middle of the century received a fresh impulsion from the circumstances under which the works of Wickliff were perused and scattered abroad in innumerable copies. All of his treatises were eagerly sought for. A MS. in the Hofbliothek of Vienna gives a catalogue of ninety of them which

* Raynald. ann. 1377, No. 4–6.—Lechler's Life of Wickliff, Lorimer's Translation, II. 288–90, 343–7.—Loserth, Hus und Wiclif, pp. 101–2, 121.—Palacky Documenta Mag. Johannis Hus, p. 189, 203, 313, 374–6, 426–8, 467.—Harduin. Concil. VIII. 203.—Von der Hardt III. xii. 168; IV. 153, 328.—Jo. Hus Replica contra P. Stokes (Monument. I. 108 *a*).—Höfler, Prager Concilien, p. 53.

were known in Bohemia, and it is to those regions that we must look for the remains of his voluminous labors, the greater part of which were successfully suppressed at home. In time he came to be reverenced as the fifth Evangelist, and a fragment of stone from his tomb was venerated at Prague as a relic. Still more suggestive of his commanding influence is the fidelity with which Huss followed his reasoning, and oftentimes the arrangement, and even the words, of his treatises.*

John of Husinec, commonly known as Huss, who became the leading exponent and protomartyr of Wickliffitism in Bohemia, is supposed to have been born in 1369, of parents whose poverty forced him to earn his own livelihood. In 1393 he obtained the degree of bachelor of arts; in 1394 that of bachelor of theology; in 1396 that of master of arts; but the doctorate he never attained, though in 1398 he was already lecturing in the university; in 1401 he was dean of the philosophical faculty, and rector in 1402. Curiously enough, he embraced the Realist philosophy, and won great applause in his combats with the Nominalists. So little promise did his early years give of his career as a reformer that, in 1392, he spent his last four groschen for an indulgence, when he had only dry crusts for food. In 1400 he was ordained as priest, and two years later he was appointed preacher to the Bethlehem chapel, where his earnest eloquence soon rendered him the spiritual leader of the people. The study of Wickliff's writings, begun shortly after this, quickened his appreciation of the evils of a corrupted Church, and when Archbishop Zbinco of Hasenburg, shortly after his consecration in 1403, appointed him as preacher to the annual synods, Huss improved the opportunity to address to the assembled clergy a series of terrible invectives against their worldliness and filthiness of living, which excited general popular hatred and contempt for them. After one of peculiar vigor, in October, 1407, the clamor among the ecclesiastics grew so strong that they presented a formal complaint against him to Archbishop Zbinco, and he was deprived of the position.

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* Loserth, op. cit. pp. 79, 114, 161 sqq.—Mittheilungen des Vereines für Gesch. d. Deutschen in Böhmen, 1886, 395 sqq.—Jo. Hus Monument. I. 25*a*, 108*a*.—Nider Formicar. Lib. III. c. 9. fol. 50*a*.—Von der Hardt IV. 328.—Gobelin. Personæ Cosmodrom. Ætat. VI. c. 86–7 (Meibom. Rer. German. I. 319–21).

By this time he was recognized as the leader in the effort to purify the Church, and to reduce it to its ancient simplicity, with such men as Stephen Palecz, Stanislas of Znaim, John of Jessinetz, Jerome of Prague, and many others eminent for learning and piety as his collaborators. To some of these he was inferior in intellectual gifts, but his fearless temper, his unbending rectitude, his blameless life, and his kindly nature won for him the affectionate veneration of the people and rendered him its idol.*

Discussion grew hot and passions became embittered. Old jealousies and hatreds between the Teutonic and Czech races contributed to render the religious quarrel unappeasable. The vices and oppression of the clergy had alienated from them popular respect, and the fiery diatribes of the Bethlehem chapel were listened to eagerly, while the Wickliffite doctrines, which taught the baselessness of the whole sacerdotal system, were welcomed as a revelation, and spread rapidly through all classes. King Wenceslas was inclined to give them such support as his indolence and self-indulgence would permit, and his queen, Sophia, was even more favorably disposed. Yet the clergy and their friends could not submit quietly to the spoliation of their privileges and wealth, although the Great Schism, in weakening the influence of the Roman curia, rendered its support less efficient. Preachers who assailed their vices were thrown into prison as heretics and were exiled, and the writings of Wickliff, which formed the key of the position, were fiercely assaulted and desperately defended. The weak point in them was the substitution of remanence for transubstantiation; and although this was discarded by Huss and his followers, it served as an unguarded point through which the whole position might be carried. The synod of 1405 asserted the doctrine of transubstantiation in its most absolute shape; any one teaching otherwise was pronounced a heretic, and was ordered to be reported to the archbishop for punishment. In 1406 this was

* Loserth, op. cit. pp. 13, 75–8, 98–100.—Jo. Hus Monument. II. 25–52.

Even Æneas Sylvius (Hist. Bohem. c. 35) speaks of Huss as distinguished for the purity of his life; and the Jesuit Balbinus says that his austerity and modesty, his kindness to all, even to the meanest, won for him universal favor. No one believed that so holy a man could deceive or be deceived, so that the memory of the thief was worshipped at Prague as that of a saint (Bohuslai Balbini Epit. Rer. Bohem. Lib. v. c. v. p. 431).

repeated in a still more threatening form, showing that the Wickliffite views had obstinate defenders; as, indeed, is to be seen by a tract of Thomas of Stitny, written in 1400. Already, in 1403, a series of forty-five articles extracted from Wickliff's works was formally condemned by the university. Around these the battle raged with fury; the condemnation was repeated in 1408, and in 1410 Archbishop Zbinco solemnly burned in the courtyard of his palace two hundred of the forbidden books, while the populace revenged itself by singing through the streets rude rhymes, in which the prelate is said to have burned books which he could not read; for his ignorance was notorious, and he was reported to have first acquired the alphabet after his elevation.*

In the strife between rival popes it suited the policy of King Wenceslas, in 1408, to maintain neutrality, and he induced the university to send envoys to the cardinals who had renounced allegiance to both Benedict XIII. and Gregory XII. In this mission were included Stephen Palecz and Stanislas of Znaim, but the whole party fell, in Bologna, into the hands of Balthasar Cossa, the papal legate (afterwards John XXIII.), who threw them all in prison as suspect of heresy, and it required no little effort to secure their release. This adventure cooled the zeal of Stephen and Stanislas; they gradually changed sides, and from the warmest friends of Huss they became, as we shall see, his most dangerous and implacable enemies.†

In this affair the university had not seconded the wishes of the king with the alacrity which he had expected, and Huss took advantage of the royal displeasure to effect a revolution in that institution, which had hitherto proved the chief obstacle in the progress of reform. It was divided, in the ordinary manner, into four "nations." As each of these nations had a vote, the Bohemians constantly found themselves outnumbered by the foreign-

* Palacky Documenta, pp. 3, 56.—Berger, Johannes Hus u. König Sigmund, p. 5.—Loserth, op. cit. pp. 82, 98–100, 103–5, 111–12, 270.—Höfler, Prager Concilien, pp. 43–6, 51–3, 57, 60, 61–2.—Hist. Persecut. Eccles. Bohem. p. 29.

Wickliff continued to the end to be the chief authority of the Hussites. A half a century later he is appealed to by both factions into which they were divided. See Peter Chelcicky's reply to Rokyzana, in Goll, Quellen und Untersuchungen zur Geschichte der Böhmischen Brüder, II. 83–4.

† Loserth, pp. 105–6.—Palacky Documenta, pp. 345–6, 363–4.

ers. It was now proposed to adopt the constitution of the University of Paris, where the French nation had three votes, and all the foreign nations collectively but one. The vacillation of Wenceslas delayed decision, but in January, 1409, he signed the decree which ordered the change. The German students and professors bound themselves by a vow to procure the revocation of the decree or to leave the university. Failing in the former alternative, they abandoned the city in vast numbers, founding the University of Leipsic, and spreading throughout Europe the report that Bohemia was a nest of heretics. The dyke was broken down, and the flood of Wickliffitism poured over the land with little to check its progress. In vain did Alexander V. and John XXIII. command Archbishop Zbinco to suppress the heresy, and in vain did the struggling prelate hold assemblies and issue comminatory decrees. The tide bore all before it, and Zbinco at last, in 1411, abandoned his ungrateful see to appeal to Wenceslas's brother Sigismund, then recently elected King of the Romans, but died on the journey.*

This removed the last obstacle. The new archbishop, Albik of Unicow, previously physician to Wenceslas, was old and weak, and more given to accumulating money than to defending the faith. He was said to carry the key of his wine-cellar himself, to have only a wretched old crone for a cook, and to sell habitually all presents made to him. Thoroughly unfitted for the crisis, he resigned in 1413, and was succeeded by Conrad of Vechta, who, after some hesitation, cast his lot with the followers of Huss. Yet, during these troubles, the papal Inquisition seems to have been established in Prague, and, strangely enough, to have seen nothing in the Hussite movement to call for its interference, though it could act against Waldenses and other recognized heretics. When, in 1408, the king ordered Archbishop Zbinco to make a thorough perquisition after heresy, Nicholas of Vilemonic, known as Abraham, priest of the Church of the Holy Spirit in Prague, was tried before the inquisitors Moritz and Jaroslav for Waldensianism, and was thrown into prison for asserting that he could preach under authority from Christ without that of the archbishop.

* Loserth, op. cit. pp. 106–10, 123–4.—Palacky Documenta, pp. 181, 347, 350–62.—Höfler, Prager Concilien, pp. 64–70.—Raynald. ann. 1409, No. 89.

Huss interposed in his favor, but his liberation was postponed through his refusal to repeat, on the Gospels, an oath which he had already sworn by God. One of the accusations brought against Huss at Constance was the favor which he showed to Waldensian and other heretics; and yet, when he was about to depart on his fateful journey to Constance, the papal inquisitor Nicholas, Bishop of Nazareth, gave him a formal certificate, attested by a notarial act, to the effect that he had long known him intimately, and had never heard an heretical expression from him, and that no one had ever accused him of heresy before the tribunal. The Hussite and Waldensian movements were too nearly akin for Huss not to sympathize with the acknowledged heretics, and in the virtual spiritual anarchy of these tumultuous years Waldensian influence must have made itself more and more felt, and the sectaries must have been emboldened to show themselves ever more openly.*

Everything thus conspired to accelerate the progress of the revolution. Huss, who had hitherto, for the most part, confined himself to assaults upon the local ecclesiastical establishment, began to direct his attacks at the papacy itself, and in the writings of Wickliff he found ample store of arguments, which he used with great effect. He also made use of another of Wickliff's methods by the employment of itinerant priests. This was peculiarly well adapted to accomplish the object in view, for the Bohemians were given to listening to sermons, and the unlicensed preaching for which the negligence of the established clergy gave opportunity had been a frequent source of complaint since the year 1371. The repetition of the prohibitions shows their ineffectiveness; the popular craving for spiritual instruction, which the Church could have turned to such good account, was abandoned to the agitators; the people flocked in crowds to hear them, in spite of priestly anathemas, and the great mass of the nation, from nobles to peasants, eagerly adopted the new doctrines, and were prepared to support them to the death.†

Matters were rapidly tending to an open rupture with Rome.

* Æneæ Sylv. Hist. Bohem. c. 35.—Loserth, op. cit. p. 137.—Palacky Documenta, pp. 184–5, 342–3.—Palacky, Beziehungen, pp. 19–20.—Jo. Hus Monument. I. 2–3.

† Loserth, op. cit. pp. 120, 123–4.—Höfler, Prager Concilien, pp. 5, 15, 18, 31, 32, 46, 57.

In 1410 John XXIII., soon after his accession, referred to Cardinal Otto Colonna the complaints which came to Rome against Huss. On September 20 Colonna summoned him to appear in person. He sent deputies, who appealed from the cardinal to the pope, but they were thrown into prison and severely handled; and while the appeal was pending, in February, 1411, Colonna excommunicated him. On March 15 the excommunication was published in all the churches of Prague save two; the people stood by Huss, and an interdict was extended over the city, which was generally disregarded, and Huss continued to preach. While affairs were in this threatening position a new cause of trouble led to an explosion. Just as Wickliff had been stirred to fresh hostility against the papacy by the crusade which, under orders from Urban VI., the Bishop of Norwich had preached against France for its support of the rival pope Clement VII.; just as Luther was to be aroused from his obscurity by the indulgence-selling of Tetzel when Leo X. wanted money, so the Bohemians were stimulated to active opposition when John XXIII., towards the close of 1411, proclaimed a crusade with Holy Land indulgences against Ladislas of Naples, who upheld the claims of Gregory XII. Stephen Palecz, till then associated with Huss, was dean of the theological faculty. His experience of the Bolognese prison rendered him timorous about withstanding John XXIII., and he declared that there was no authority to prevent the publication of the indulgence. Huss was bolder, and a controversy arose between them which converted their former friendship into an enmity destined to bear bitter fruits. June 16, 1412, he held in the Carolinum a disputation which was a very powerful and eloquent attack upon the power of the keys, which lay at the foundation of the whole papal system. Absolution was dependent on the subjective condition of the penitent; as many popes who concede indulgences are damned, how can they defend their pardons before God? the sellers of indulgences are thieves, who take by cunning lies that which they cannot seize by violence; the pope and the whole Church Militant often err, and an unjust papal excommunication is to be disregarded. This was followed by other tracts and sermons which aroused popular enthusiasm to a lofty pitch. Wenceslas Tiem, the Dean of Passau, to whom the preaching of the crusade in Bohemia was confided, farmed out the indulgences to the

highest bidders, and their sale to the people was accompanied by the usual scandals, which were well calculated to excite indignation.*

A few days after the disputation a crowd led by Wok of Waldstein, a favorite of King Wenceslas, carried the papal bulls of indulgence to the pillory and publicly burned them. The well-known legend attributes to Jerome of Prague a leading part in this, and relates that the bulls were strung around the neck of a strumpet mounted on a cart, who solicited the favor of the mob with lascivious gestures. No punishment was inflicted on the participants, and Wok of Waldstein continued to enjoy the royal favor. The defiance of the pope was complete, and the temper of the people was shown on July 12, when in three several churches three young mechanics named Martin, John, and Stanislas, interrupted the preachers proclaiming the indulgences, and declared them to be a lie. They were arrested and beheaded in spite of Huss's intercession; many others were imprisoned, and some were exposed to torture. Then the people assumed a threatening aspect; the three who had been executed were reverenced as martyrs; tumults occurred, and the prisoners were released. Soon afterwards a Carmelite was begging at the doors of his church with an array of relics displayed upon a table, with the indulgences attached to them to excite the liberality of the pious. A disciple of Huss denounced the affair as a fraud and kicked over the table, and when he was seized by the friars a band of armed men broke into the house and released him, not without bloodshed.†

John XXIII. could not avoid taking up the gage of battle thus thrown down. The Bohemian clergy appealed to him piteously, representing the oppression to which they were subjected, and stating that many of them had been slain. He promptly responded. The major excommunication, to be published in all its awful solemnity in Prague, was pronounced against Huss; the Bethlehem chapel was ordered to be levelled with the earth; his

* Loserth, op. cit. pp. 121–3, 130.—Palacky Documenta, pp. 19–21, 191, 233.—Mladenowic Relatio (Palacky p. 319).—Jo. Hus Disputatio contra Indulgent. (Monument. I. 174–89); Ejusd. contra Bull. PP. Joannis (Ib. I. 189–91); Ejusd. Serm. XXII. de Remissione Peccatorum (Ib. II. 74–5).

† Loserth, op. cit. p. 131.—Palacky Documenta, p. 640.—De Schweinitz, Hist. of the Unitas Fratrum, pp. 41–2.—Stephani Cartus. Antihussus c. 5 (Pez Thesaur. Anecd. IV. II. 380, 382).

followers were excommunicated, and all who would not within thirty days abjure heresy were summoned to answer in person before the Roman curia. In spite of this Huss continued to preach, and when an attempt was made to arrest him in the pulpit the threatening aspect of the congregation prevented its execution. He appealed to a general council, and then to God, in a protest which, in lofty terms, asserted the nullity of the sentence pronounced against him. In his treatise "De Ecclesia," which followed not long after, he attacked the papacy in unmeasured language borrowed from Wickliff. The pope is not a pope and a true successor of Peter unless he imitates Peter; a pope given to avarice is the vicar of Judas Iscariot. So of the cardinals; if they enter save by the door of Christ they are thieves and robbers. Yet the clergy, for the most part gladly, obeyed the bull of excommunication, and Huss's presence in Prague led to a cessation of all church observances; divine service was suspended, the new-born were not baptized, and the dead lay unburied. At the request of the king, to relieve the situation of its tension, Huss left Prague and retired to Kosi hradek, whence he directed the movements of his adherents in the city and busied himself in active controversial writing, the chief product of which was the "De Ecclesia," which was publicly read in the Bethlehem chapel on July 8, 1213.*

King Wenceslas had vainly tried to bring about a pacification of the troubles in which passions were daily growing wilder, complicated by the race hatred between Teuton and Czech. A confused series of disputations and conferences and controversial tracts occupied the first half of the year 1213, which only embittered those who took part in them and rendered harmony more distant than ever. In fact there was no possible middle term, no compromise in which the disputants could unite. It was no longer a question of reforming the morals of the clergy, as to the necessity of which all were agreed. The controversy had drifted to the causes of clerical corruption, springing, as Wickliff and Huss and their disciples clearly saw, from the very principles on which the whole structure of Latin Christianity was based. Either the

* Höfler, Prager Concilien, pp. 73, 110.—Loserth, op. cit. pp. 132–5.—J. Hus Monument. I. 17; Ejusd. de Ecclesia c. 14 (Monument. I. 223. Cf. Wicklif. de Eccles. c. 18, *ap.* Loserth, p. 188).—Palacky Documenta, pp. 458, 464–66.

power of the keys was a truth vital to the salvation of mankind, or it was a lie cunningly invented and boldly utilized to gratify the lust of power and the greed of avarice. Between these two antagonistic postulates dialectic subtlety was powerless to frame a project of reconciliation, and argument only hardened each side in its belief. One or the other must triumph utterly, and force alone could decide the controversy. Wearied at last with his unavailing efforts, Wenceslas finally cut the matter short by banishing the leaders of the conservatives, Stephen Palecz, Stanislas of Znaim, Peter of Znaim, and John Elias. Stanislas retired to Moravia, where, after incredible industry in controversial writing, he died on the road to the Council of Constance; Stephen survived him and revenged them both.*

Huss and his adherents were now masters of the field; and though he abstained from returning to Prague, except an occasional visit incognito, until his departure for Constance, he could truly say, when he stood up in the council to meet his accusers, "I came hither of my own free will. Had I refused to come neither the king nor the emperor could have forced me, so numerous are the Bohemian lords who love me and who would have afforded me protection." And when the Cardinal Peter d'Ailly indignantly exclaimed, "See the impudence of the man," and a murmur ran around the whole assembly, John of Chlum calmly arose and said, "He speaks the truth, for though I have little power compared with others in Bohemia, I could easily defend him for a year against the whole strength of both monarchs. Judge, then, how much more could they whose forces are greater and whose castles are stronger than mine.†

While thus in Bohemia the upholders of the old order of things were silenced and reformation in the morals of the clergy was enforced with no gentle hand, the news spread around Christendom that the long-desired general council was to be convoked at last for the settlement of the Great Schism, the reformation of the Church from its head downwards, and the suppression of heresy.

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* Höfler, Prager Concilien, pp. 73–100.—Loserth, op. cit. pp. 142–5.—Palacky Documenta, p. 510.—Mladenowic Relatio (Palacky Documenta, p. 246).

† Von der Hardt IV. 313.

Many strivings had there been to effect this, but the policy of the Italian popes, as at Pisa, had thus far successfully eluded the dreaded decision. The pressure grew, however, until it became overwhelming. With the rival vicars of Christ each showering perdition upon the adherents of the others, the spiritual condition of the faithful was most anxious and a solution of the tremendous question was the most pressing necessity for all who believed what the Latin Church had assiduously taught for a thousand years. The politics of Europe, moreover, were hopelessly complicated by the strife, and no peace was to be expected while so dangerous an element of discord continued to exist. This was especially the case in Germany, where independent princes and prelates each selected for himself the pope of his preference, leading to bitter and intricate quarrels. Second only in importance to this was the reform of the abuses and corruption, the venality and license of the clergy, which made themselves felt everywhere, from the courts of the pontiffs to the meanest hamlet. Heresy likewise was to be met and suppressed, for though England could deal single-handed with the Lollardry within her shores, the aspect of matters in Bohemia was threatening, and Sigismund, the emperor-elect, as the heir of his childless brother Wenceslas, was deeply concerned in the pacification of the kingdom. In vain John XXIII. endeavored to have the council held in Italy, where he could control it. The nations insisted on some place where the free parliament of Christendom could convene unshackled and debate unchecked. Sigismund selected the episcopal city of Constance; John, hard pressed by Ladislas of Naples and driven from Rome, was forced to yield, and, December 9, 1413, issued his bull convoking the assemblage for the first of the following November. Not only were all prelates and religious corporations ordered to be represented, but all princes and rulers were commanded to be there in person or by deputy. Imperial letters from Sigismund, which accompanied the bull, gave assurance that the powers of State and Church would be combined to reach the result desired by all.*

* Leonardi Aretini Comment. (Muratori S. R. I. XIX. 927–8).—Harduin. VIII. 231.—Theod. a Niem Vit. Joann. XXIII. Lib. II. c. 37 (Von der Hardt II. 384).—Palacky Documenta, pp. 512–18.

For the confusion existing in Germany, caused by the Schism, see Haupt, Zeitschrift für Kirchengeschichte, 1883, pp. 356–8.

No such assemblage had been seen in Christendom since Innocent III., two centuries before, in the plenitude of his power, had summoned the representatives of Latin Christianity to sit with him in the Lateran. The later council might boast fewer mitred heads than the earlier, but it was a far more important body. Called primarily to sit in judgment on the claims of rival popes, its mere convocation was a recognition of its supremacy over the successor of Peter. From its decision there could be no appeal, and the questions to be submitted to it were far more weighty than those which had tasked the consciences of the Lateran fathers. From every part of Europe the Church sent its best and worthiest to take counsel together in this crisis of its fate—men like Chancellor Gerson and Cardinal Peter d'Ailly of Cambrai, as earnest for reform and as sensible of existing wrongs as Wickliff or Huss themselves. The universities poured forth their ablest doctors of theology and canon law. Princes and potentates were there in person or by their representatives, and crowds of every rank in life, from the noble to the juggler. The mere magnitude of the assemblage produced a powerful effect on the minds of all contemporaries, and the wildest estimates were current of the numbers present. One chronicler assures us that there were, besides members of the council, sixty thousand five hundred persons present, of whom sixteen thousand were of gentle blood, from knights and squires up to princes. The same authority informs us that there were four hundred and fifty public women, but an official census of the council, carefully taken, reports that the number was not less than seven hundred, and even *succubi* were popularly said to have joined in the nefarious trade. Thus the strength and the weakness, the virtue and the vice of the fifteenth century were gathered together to find relief as best they might for the troubles which threatened to overwhelm the Church. After many doubts and much hesitation John XXIII. fulfilled his promise to be present, relying upon his stores of gold to win a triumph over his adversaries and over the council itself.*

It was inevitable that Huss should tempt his fate at Constance.

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* Jo. Fistenport. Chron. ann. 1415 (Hahn. Coll. Monum. I. 401).—Dacherii Hist. Magnatum (Von der Hardt V. II. 50).—Theod. a Niem Vita Joann. XXIII. Lib. I. c. 40 (Ib. II. 388).—Nider Formicar. Lib. V. c. IX.

To both Sigismund and Wenceslas it was of the utmost importance that some authoritative decision should put an end to the strife within the Bohemian Church. The reformers had always professed their desire to submit their demands to a free general council, and Huss himself had appealed to such a council from the papal sentence of excommunication. To hesitate now would be to abandon his life's work, to admit that he dared not face the assembled piety and learning of the Church, and to confess himself a heretic. The host of adversaries in the Bohemian clergy whom his bitter invectives had inflamed and whose preferment had been forfeited through the agitation which he had led would surely be there to blacken him and to misrepresent his cause, and all would be lost if he were not present to defend it in person. They had long jeered him for not daring to present himself to the Holy See in obedience to its summons, and had pronounced blasphemous his appeal to Christ from its excommunication. To hesitate to submit his cause to the council would give his adversaries an inestimable advantage. Besides, incredible as it may seem in view of the violence of his assaults upon the doctrine which rendered the high places in the hierarchy profitable, and his persistent denial of the validity of his excommunication, he believed himself to be in full communion with the Church, that he would find the council in sympathy with his views, and that certain sermons which he had prepared would, when delivered before the assembled prelates, be efficient in bringing about the reforms which he advocated. In his singleness of mind he could not comprehend that men who had thundered as vehemently as himself against current abuses and corruptions, but who had not dared to assail the principles from which those evils sprang, would shrink back aghast from his bolder doctrinal aberrations, and would regard him as a heretic subject to the inquisitorial rule prescribing the naked alternative of recantation or the stake.*

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* Stephani Cartus. Dial. Volatilis c. 11, 14, 21 (Pez Thesaur. Anecd. IV. II. 465, 473, 492).—The three sermons prepared for this purpose are printed in Huss's works (Monument. I. 44–56). The first is on the sufficiency of the law of Christ for the government of the Church: the second is an elaborate exposition of his belief; the third on Peace, in which he attributes the schisms and troubles of the Church to the pride and greed and vices of the clergy.

When, therefore, the imperial and royal wishes for his presence at Constance were signified to him, with a promise of safe-conduct and full security, he willingly assented, and so anxious was he to be present at the opening of the council that he did not even wait for the promised safe-conduct, which reached him only after his arrival there. That some discussion took place among his friends as to the danger to be incurred there can be no doubt. Jerome of Prague, when on his trial, asserted that he had persuaded Huss to go, and Huss in one of his letters from prison alludes to the warnings which he had received. He himself was evidently not wholly without misgivings. A sealed letter left with his disciple, Master Martin, not to be opened till news should be received of his death, alludes to the persecution which he had suffered for restraining the inordinate lives of the clergy, and his expectation that it would soon reach its consummation. He makes disposition of his slender effects—his gray gown, his white gown, and sixty grossi, which comprise the whole of his worldly gear—and expresses his remorse for the time wasted before his ordination, when he used to play chess to the loss of his own temper and that of others. The unaffected simplicity and pure-heartedness of the man shine like a divine light through the brief words of his last request. A letter in the vernacular to his disciples also announces his fear that his enemies may seek in the council to take his life by false testimony. He asks the prayers of his friends that he may have eloquence to uphold the truth and constancy to endure to the last. Still, he did not wholly neglect precautions. Not only did he procure from the inquisitor Nicholas, Bishop of Nazareth, the certificate of his orthodoxy already alluded to, but he posted, August 26, throughout Prague a notice in Latin and Bohemian that he would appear before the archbishop, then holding a convocation of the Bohemian clergy, and challenged all who impugned his faith to come forward and accuse him either there or at Constance, asserting his readiness to submit to the punishment of heresy in case he was convicted, but that accusers who failed should be subjected to the talio. When John of Jessinetz, his representative, presented himself the next day at the door of the convocation, he was refused admission on the pretext that the body was deliberating on national affairs, and he was told to come back another time. In the assembly of nobles, however, Huss obtained an audience of the arch-

bishop, who was also papal legate, and who declared that he knew of nothing to render Huss guilty except that he ought to purge himself of the excommunication. Of this a certified notarial instrument was sent to Sigismund by Huss with the statement that under the imperial safe-conduct he was ready to go to Constance to defend publicly the faith for which he was prepared, if necessary, to die.*

Huss set out, October 11, 1414, under the escort and protection of John and Henry of Chlum and Wenceslas of Duba, all his friends, and delegated for the purpose by Sigismund. The cavalcade consisted of more than thirty horse and two carriages. It was preceded, a day in advance, by the Bishop of Lubec, who announced that Huss was being carried in chains to Constance, and warned the people not to look at him, as he could read men's minds. Already his name had filled all Germany, and this advertisement was an additional incentive for crowds to gather and gaze on him as he passed. His reception served to foster the fatal illusions which he nursed. Everywhere, he wrote to his friends, he was treated as an honored guest and not as an excommunicate; no interdict was proclaimed where he stopped to rest, and he held discussions with magistrates and ecclesiastics. In all cities he posted notices on the church-doors that he was on his way to Constance to defend his faith, and that any one who desired to assail it was invited to do so before the council. On reaching Nuremburg, October 19, in place of deflecting to seek King Sigismund and obtain the promised safe-conduct, he proceeded direct to Constance, while Wenceslas of Duba went to the court and brought the document to him there a few days after his arrival. It was dated October 18.†

On November 2 Huss reached Constance, to be greeted by a crowd of twelve thousand men assembled to look upon the dreaded reforming heretic. The council had not yet been opened. On the 10th a letter from one of the party states that as yet no ambassadors from any of the kings had arrived, and though John

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* Mladenowic Relatio (Palacky Documenta, p. 237).—Von der Hardt IV. 754.—Jo. Hus Monument. I. 2–4, 57, 68.—Palacky Documenta, pp. 70, 73.

† Richentals Chronik des Constanzer Concils p. 76 (Tübingen, 1882).—Jo. Hus Epistt. iii. vi. (Monument. I. 57–8).—Monument. I. 4*a*.

XXIII. was there with his cardinals, no representatives from his rivals, Gregory XII. and Benedict XIII., had presented themselves. What to do with the Bohemian Wickliffite was a problem which puzzled pope and cardinal, and after much discussion it was determined to suspend his excommunication, and permit him to frequent the churches freely, at the same time requesting him not to be present at the solemnities of the council, lest it might lead to disorder. Considerable apprehension, moreover, was felt as to a sermon to the clergy which he was understood to propose delivering. Huss himself was utterly blind as to the position which he occupied. On November 4, the day before the council was opened, he wrote to his friends at home that overtures had been made to him to settle matters quietly, but that he expected to win a great victory after a great fight. On the 16th he mentioned that when the pope was celebrating mass every one but himself had assigned to him some function in the ceremony, and he characterized the omission as neglect, evidently considering that his position entitled him to recognition and distinction.*

He knew that his opponents had not been idle, but he did not fear them. He had been preceded in Constance by two of his bitterest enemies—Michael of Deutschbrod, known as de Causis, and Wenceslas Tiem, Dean of Passau—and these, in a few days, were reinforced by a more formidable antagonist, Stephen Palecz, fully equipped with most dangerous extracts from Huss's writings. Wenceslas Tiem had been the bearer to Prague of the bull offering indulgences for the crusade against Ladislas of Naples, and his profitable trade had been broken up by Huss. Michael de Causis had been priest of the Church of St. Adalbert in the Neustadt of Prague; he had gained the confidence of King Wenceslas by pretending that he could render profitable some abandoned gold-mines near Iglau, and the king had intrusted him with a considerable sum of money for the purpose. After working a few days at the mines he decamped to Rome with the funds, which enabled him to purchase a commission as papal procurator "*de causis fidei*," whence his appellation. He had already, in 1412, sent to Rome charges against Huss, which the latter pronounced to be lies. The day after Huss's arrival in Constance, Michael posted

* Richentals Chronik p. 58.—Jo. Hus Epistt. iv. vi. vii. (Monument. I. 58–9).

on the church-doors that he would accuse him to the council as an excommunicate and suspect of heresy, but Huss treated the matter very lightly, and adopted the advice of his friends to take no notice of it until the arrival of Sigismund, who was not expected until Christmas. Meanwhile Huss himself gave ample cause for adverse comment. So perfect was his sense of innocence and security that he could not be content with prudent obscurity. Almost immediately on his arrival he began to celebrate mass in his lodgings. This attracted the people in crowds, and was necessarily a cause of scandal. Otto, Bishop of Constance, sent John Tenger, his vicar, and Conrad Helye, his official, to request Huss to cease, as he had long been under papal excommunication; but he refused, saying that he did not consider himself excommunicated, and that he would celebrate mass as often as he pleased. Although thus defied, the bishop, to avoid disturbance, contented himself with forbidding the people from attendance. Soon after this Huss placed himself, with some provisions, in a covered forage-wagon which was to be sent for hay. When the knights who were responsible for him could not find him, Henry of Lastenbock (Chlum) rushed to the burgomaster and demanded that he be searched for. The city was in an uproar; the gates were closed, horse and foot were sent in every direction to find him, and the circumstance was easily magnified into an attempt to escape.*

The sturdy Bohemian was evidently a troublesome subject to deal with. In the eyes of the faithful it was quite scandal enough to see at liberty a priest who had openly defied a papal excommunication, and had defended the recognized errors of Wickliff; there was, moreover, every probability that he would carry out his audacious design of preaching to the clergy a sermon in which the vices of the papal court and the shortcomings of the whole ecclesiastical body would be pitilessly and eloquently exposed, and it would be proved from Scripture that the whole system had no warrant in the law of Christ. The path which the pope and his cardinals had to tread in managing the council was likely to

* Hus Epistt. v. vi. (Monument. I. 58).—Monument. I. 4 *b*.—Laur. Byzyn. Diar. Bell. Hussit. ann. 1414 (Ludewig Reliq. MSS. VI. 124).—Palacky Document. p. 170.—Richentals Chronik pp. 76–77.—Mladenowic Relatio (Palacky, pp. 247–8).—Naucleri Chron. ann. 1414.

be tortuous and thorny enough without this additional element of disturbance and turbulence. It was far safer to disarm him at once, to anticipate his attacks by treating him legally as one accused of heresy and awaiting trial. Stephen Palecz and Michael de Causis, and a crowd of other Bohemian doctors and priests whom Huss had roughly handled, had already furnished ample material for his indictment, and in the inquisitorial process the first step was to make sure that the accused should not escape. Even had the case been one in which bail could be taken, Huss had the whole kingdom of Bohemia at his back; bail to any amount would be furnished and forfeited, and, once safe at home, he would have laughed to scorn a condemnation for contumacy. Such might reasonably be the arguments of the cardinals when the resolve was taken to arrest him, but the execution of the design was either inexcusably insidious, or the manifestation of irresolution which reached its conclusion only by degrees. On November 28 the cardinals, in consistory with the pope, sent to Huss's lodgings the Bishops of Augsburg and Trent, with Henry of Ulm, the burgomaster of Constance, to summon him at once before them to defend his faith. The envoys greeted him kindly, and though both he and John of Chlum protested that the summons was a violation of the safe-conduct, he immediately consented to go, although he said he had come to Constance to appear openly in the council, and not secretly before the cardinals. He added that he could not be imprisoned because he had a safe-conduct. John of Chlum and some friends accompanied him to the palace occupied by the pope. When the cardinals told him he was accused of disseminating many heresies, he replied that he would rather die than be convicted of a single one; he had come with alacrity to Constance, and if he was found in error he would willingly abjure. To this the cardinals said, "You have answered well." No further examination was had, but John XXIII., whose policy was to embroil the council with Sigismund, took occasion to ask John of Chlum whether Huss had an imperial safe-conduct, to which Chlum replied, "Holy father, you know that he has." Again the pope asked the question and received the same answer, but none of the cardinals requested to see the document. When the morning session was over, guards were placed over Huss and John of Chlum. The weary afternoon wore away in suspense, while the cardinals

held another session in which Stephen Palecz and Michael de Causis were busy. The tedium of detention was only broken by a simple-looking Franciscan, who accosted Huss and asked for instruction on the subject of transubstantiation, and, on being satisfactorily answered, inquired about the union of humanity and divinity in Christ. Huss recognized that he was no simple inquirer, for he had asked the most difficult question in theology; he declined further colloquy, and on the retiring of the friar was informed by the guards that he was Master Didaco, renowned as the subtlest theologian of Lombardy. About nightfall John of Chlum was allowed to depart, while Huss was detained, and soon after Stephen and Michael came exultingly and told him that he was now in their power, and should not escape till he had paid the last penny. He was taken under guard to the house of the precentor of the cathedral, in charge of the Bishop of Lausanne, regent of the apostolic chamber, and after eight days was transferred to the Dominican convent on the Rhine. Here he was confined in a cell adjoining the latrines, where a fever soon caused his life to be despaired of. His sudden death would have been a most untoward event, and the pope sent his own physicians to restore him. It was in vain that his friends in Prague procured from Archbishop Conrad a declaration affirming that he had never found Huss to vary from the faith in a single word. His fate had already been virtually decided.*

John of Chlum's first thought on regaining his liberty was to hasten to the pope and to expostulate with him. When the safe-conduct had reached Constance, Chlum had at once exhibited it to John XXIII., who is reported to have declared, on reading it, that if his own brother had been slain by Huss the latter should be safe while in Constance so far as he was concerned. Now he disclaimed all responsibility and threw the blame on the cardinals.†

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* Richentals Chronik p. 77.—Jo. Hus Monument. I. 5 *b*.—Von der Hardt IV. 22, 32, 212.—Mladenowic Relatio (Palacky Document. pp. 246–52).

The special rigor of confinement near the latrines was well understood. In 1317, when John XXII. delivered some Spiritual Franciscans to their brethren for safe-keeping, Friar François Sanche "*posuerunt fratres in quodam carcere juxta latrinas.*"—Historia Tribulationum (Archiv. für Litteratur- u. Kirchengeschichte, 1886, p. 146).

† Von der Hardt IV. 11–12, 22.—Mladenowic Relatio (Palacky, p. 251).

This question as to the safe-conduct and its violation has been the subject of so warm a discussion, and it illustrates so completely a phase of the relations between the Church and heretics, that its brief consideration here is not out of place.

The imperial safe-conduct issued to Huss was in the ordinary form, without limitation or condition. It was addressed to all the princes and subjects of the empire, ecclesiastical and secular, and to all nobles and magistrates and officials, informing them that Huss was taken into the protection of the king and of the empire, and ordering that he be permitted to pass, remain, and return without impediment, and that all help which he might require should be extended to him. Thus it was not a simple *viaticum* for protection during the journey from Bohemia, and it was not so regarded by any one. That it was intended as a safeguard during the council and the return home is shown by its issue, October 18, after Huss's departure from Prague, and its reaching him in Constance after his arrival there. That his imprisonment was at once looked upon as a gross violation of the imperial pledge is seen in the protests which John of Chlum affixed to the church doors on December 15, probably as soon as Sigismund could be heard from, and again on the 24th, when the king was near Constance and was to arrive the next day. This paper recited that Huss had come under the imperial protection and safe-conduct to answer in public audience all who might question his faith. That, in the absence of Sigismund, who would not have permitted it, and in contempt of his safe-conduct, Huss had been thrown into prison. That the imperial ambassadors had vainly demanded his release, and that when Sigismund comes he should plainly make known to all men his grief and indignation at this violation of the imperial pledge.*

The suggestion that the safe-conduct was a mere passport designedly insufficient to protect Huss is a recent discovery which would not have been left to the ingenuity of modern times if it could have been alleged during the warm debate which raged over the question at Constance. That nobody thought of it then is suffi-

* Palacky Documenta, p. 238.—Von der Hardt IV. 12, 28.—Richentals Chronik p. 76.—Jo. Hus Epist. lvii. (Monument. I.75).—Mladenowic Relatio (Palacky, p. 253).

cient proof that such an excuse is untenable. Such an assertion would have been all-sufficient when, May 13, 1415, the Bohemians in Constance presented a memorial to the council in which they referred to the treatment of Huss as a violation of the safe-conduct. Yet in its answer the council had no thought of making such an allegation, while at the same time Sigismund's services in the quarrel with John XXIII. were too recent, and still too necessary, for the good fathers to inflict on him the disgrace of publicly declaring that they had righteously overruled his attempt to protect a heretic. They therefore had recourse to a lie manufactured for the occasion, by asserting, in spite of the notorious existence of the safe-conduct in Constance at the time of Huss's arrest, that witnesses worthy of credit had proved that it had not been procured until fifteen days after that occurrence, and therefore that no public faith had been violated in the proceedings. This argument, which Sigismund himself asserted to be false in the public session of June 7, is an admission that the public faith was violated. A single fact such as this outweighs all the special pleadings of modern apologists.*

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* Von der Hardt IV. 189, 209.

Berger's labored collection of safe-conducts and their comparison with the one given to Huss (Johann Hus u. König Sigmund pp. 180–208) prove nothing but his own industry. Huss went to Constance as an excommunicate to defend himself and his faith. Sigismund, knowing this, gave him a safe-conduct without limitation or condition. The only contemporaneous documents with which this can fairly be compared are those offered by the council and by Sigismund to John XXIII. when they summoned him back to Constance, May 2, 1415, and the one offered by the council to Jerome of Prague, April 17. Of these the first was limited by the clause "*justitia tamen semper salva*," the second by "*in quantum idem dominus rex tenetur sibi dare de jure et servare alios salvos conductus sibi datos*," the third by "*quantum in nobis est et fides exegit orthodoxa*" (V. d. Hardt IV. 119, 143, 145). No ingenious reasoning can explain this away. The allusion in Sigismund's safe-conduct to other letters already given by him to the pope refers to those which John had required of him and of the city of Constance before he would trust himself there (Raynald. ann. 1413, No. 22–3). These the council set aside as coolly as it did that of Huss.

Sigismund, as we shall see, had no power to give a safe-conduct that would protect a heretic, but Berger's argument that he therefore could not have designedly issued an unlimited one to Huss (Berger, op. cit. 92–3, 109) is worthless in view of his readiness, which Berger freely concedes (p. 85), to enter into en-

Sigismund at first fully justified the confidence reposed in him by Huss and John of Chlum. He made no attempt to say that his letters were not intended to protect Huss from prosecution, but treated them as having been wrongfully violated. As soon as he had heard of the arrest he had ordered Huss's release with a threat to break open the prisons in case of refusal. On his arrival at Constance, on Christmas Day, his indignation was boundless, and there was consequently great excitement. He protested that he would leave Constance, and, in fact, made a show of doing so; he even threatened to withdraw the imperial protection from the council, but was plainly told by the cardinals that they would themselves break it up unless he yielded. The hopes of Christendom had been raised to too high a pitch as to the results expected from the assemblage for him to venture on such a risk. Naturally faithless, his insistence was a matter of pride, and self-interest easily won the day. We have better materials for estimating his character than that of any other prince of the century, and from first to last we find fully justified the opinion of his contemporaries

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gagements which he knew he could not fulfil. From his indignation it is evident that he was unacquainted with the niceties of the canon law; but even if he were, his giving the letters is easily explicable by the fact, which Berger has well pointed out (pp. 100–1), that Huss's certificates of orthodoxy, obtained in August, were laid before him (Palacky Document. p. 70). He could thus easily persuade himself that there was no risk of his pledge causing him trouble. It was of the greatest moment to him that Huss should be reconciled to the Church, and to a man of his temperament it was inconceivable that Huss's delicate conscientiousness would in the end render martyrdom inevitable.

Hefele (Conciliengeschichte VII. 224), following Palacky, calls attention to the absence, in the letter of the Bohemian magnates to the council, September 2, 1415, of any reproach for violating the safe-conduct, and he argues thence that they admitted that it could not protect Huss from judgment as a heretic. So little is this the case that they emphatically declare that Huss was not a heretic, and if there is no allusion to the safe-conduct this is evidently attributable to their referring to certain previous letters to Sigismund which the council had ordered burned, and which they defiantly desired to be considered as embodied and repeated in the present one (Monument I. 78). Anything they might have to say on the subject must have been said in those letters, which presumably were the occasion of the projected decree of September 23, 1415, punishing as fautors of heresy all who vilified Sigismund for permitting the violation of his safe-conduct.

that he was wholly unworthy of trust. During the long negotiations between the Council of Basle and the Hussites, in which he took part, we see him endeavoring impartially to deceive both sides, making solemn engagements with no intention of fulfilling them, and regarded by all parties as utterly devoid of honor. Unfortunate in war and chronically impecunious, he was ever ready to adopt any temporary expedient to evade a difficulty, and to sacrifice his plighted word to obtain an advantage.*

It cost him little, therefore, to withdraw from the assertion of his own honor, and the matter was so speedily arranged that when on January 1, 1415, the council formally asked him that free course of justice be allowed in the case of Huss, in spite of the pretext of safe-conduct, he at once issued a decree declaring the council free in all matters of faith and capable of proceeding against all who were defamed for heresy; moreover, he pledged himself to set at naught the threats which were freely uttered of defending Huss at all hazards. Yet the discussion still continued during January, and the pressure on him from Bohemia was so strong that for a while he still fluctuated irresolutely, but, April 8, he formally revoked all letters of safe-conduct. Huss himself had no hesitation in declaring that he had been betrayed and that Sigismund had promised his safe return. His friends took the same position. In February an assembly of the magnates of Bohemia and Moravia, gathered at Mezeritz, sent an address to Sigismund pointing out in language more forcible than courtly the disgrace and humiliation attendant upon the disregard of the imperial faith. Again, in May, after

* Martene Thesaur. II. 1611. — Von der Hardt II. x. 255; IV. 26. — Palacky Documenta, p. 612.—Berger, Johann Hus u. König Sigmund, pp. 133, 136.—Fistenport. Chron. ann. 1419 (Hahn Collect. Monument. I. 404).—Ægid. Carlerii Lib. de Legationibus (Monument. Conc. General. Sæc. XV. T. I. pp. 531, 536–7, 595–6, 612–13, 662–73, 680–4, 688–93, 695–7). — Thomæ Ebendorferi Diar. (Ib. p. 767).— Jo. de Turonis Regestr. (Ib. pp. 834–5).

Even in France Sigismund was reproached for surrendering Huss after giving him a safe-conduct, and was accused of disregarding other engagements of the same kind.—(Martene Ampl. Coll. II. 1444–5.) Yet had he persisted he would have been liable to excommunication and heavy penalties as an impeder of the Inquisition; and had he carried out his threat of forcibly liberating Huss, under the bull *Ad extirpanda* he would have been punishable by perpetual relegation and the forfeiture of all his dominions (Mag. Bull. Rom. Ed. Luxemb. 1742, I. 92, 149).

the flight of John XXIII. had inspired new hopes as to the action of the council, two similar assemblages held at Brünn and Prague approached him with even stronger representations. It was all in vain. Sigismund had finally taken his position, and he redeemed his hesitation with great show of zeal. When, on June 7, Huss had his second hearing before the council, Sigismund thanked the prelates for their consideration for him as shown in their leniency to Huss, whom he sternly advised to submit, for he could look for no human help; "We will never protect you in your errors and pertinacity. Rather, indeed, than do so we will prepare the fire for you with our own hands." In the final session of July 6, Huss declared, "I came freely to the council under the public faith promised by the emperor, here present, that I should be free from all constraint, to bear witness to my innocence and to answer for my faith to all who call it in question." With this he fixed his eyes on Sigismund, who blushed deeply. The impression made in Bohemia by Sigismund's calculated faithlessness was ineffaceable. When, in 1433, the legates of the Council of Basle sought to throw the responsibility of the result at Constance on the false witnesses, John Rokyzana pertinently asked them how, if the council was inspired by the Holy Ghost, it could have been misled by perjurers, and he alluded to the violation of the safe-conduct in terms showing that it had been neither forgotten nor forgiven. This had been practically manifested a year earlier, in September, 1432, when the Council of Basle was eager to have Hussite deputies come to it, and the Bohemians would not stir without the most exaggerated provisions to guarantee their safety. Three safe-conducts had been furnished them—one from Sigismund, one from the council, and one from the city of Eger, but they still required others, from the city of Basle, the Margrave of Brandenburg, and the Counts Palatine Dukes of Bavaria, one of whom was the protector of the council. These were very different from that which had satisfied the simplicity of Huss. Thus Frederic of Brandenburg and John of Bavaria pledged themselves to furnish sufficient troops to conduct the Bohemians safely to Basle, to guard them while there, and to bring them back to any designated place in Bohemia. The princes, moreover, guaranteed the safe-conducts of Sigismund and the council, and agreed to forfeit honors and lands, to be entered upon and taken in possession by the Bohe-

mians in case of any unredressed violation of the pledge. These precautions were superfluous, for the envoys had at their back the terrible Bohemian levies which could enforce respect for plighted faith; but when reconciliation had taken place and Sigismund was seated on the throne of his fathers, his guarantees were again regarded as valueless. In April, 1437, he urged John Rokyzana to visit the council, and on the latter alleging fear that he might be treated as was Huss at Constance, the emperor was greatly moved and exclaimed, "Do you think that for you or for this city I would do aught against mine honor? I have given a safe-conduct and so also has the council;" but Rokyzana was not to be tempted by this appeal to the forfeited imperial honor, and steadfastly refused to go.*

The explanation of the controversy over the violation of the safe-conduct is perfectly simple. Germany and especially Bohemia knew so little about the Inquisition and the systematic persecution of heresy that surprise and indignation were excited by the application to the case of Huss of the recognized principles of the canon law. The council could not have done otherwise than it did without surrendering those principles. To allow a heresiarch who had become conspicuous to all Christendom, like Huss, to evade the punishment due to his crimes on so flimsy a pretext as that of his having confided himself to them on a promise of safety to which the public faith was pledged, would have seemed to the most conscientious jurists of the council the most absurd of solecisms. In point of fact, the best men who were there—the Gersons, the Peter d'Aillys, the Zabarellas—were as unflinching as the worst creatures of the curia. It had been, as we have seen, too long a principle of inquisitorial practice that the heretic had no rights,

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* Von der Hardt IV. 32, 311-13, 329. — Martene Thesaur. II. 1611. — Berger, Johann Hus u. König Sigmund, p. 138.—Palacky Documenta, 541, 543, 546–53.—Jo. Hus Epistt. xxxiii., liv., lix., lx. (Monument. I. 68–9, 74–77).—Mladenowic Relat. (Palacky, p. 314–15).—Narr. Hist. de Condemnatione (Monument. II. 346 *a*; Von der Hardt IV. 393).—Ægid. Carlerii Lib. de Legat. (Monument. Concil. Gen. Sæc. XV. Tom. I. p. 435).—Martene Ampl. Coll. VIII. 174–6, 179–83.—Jo. de Turonis Regestrum (Monument. Con. Gen. Sæc. XV. T. I. p. 860).

The incident of Sigismund's blush has been disputed by some recent writers. It is a matter not worth controversy, but as the only evidence to his credit in the whole affair it may be hoped to be true.

and that the man accused of heresy by sufficient witnesses was to be treated as a heretic until he could clear himself, for any one to hesitate about putting it in force in this case. When Sigismund complained that he was dishonored by the imprisonment of Huss, the canonists of the council promptly assured him, in the words of a contemporary orthodox burgher of Constance, that "it could not and might not be in any law that a heretic could enjoy a safe-conduct," and though this was prejudging the case, we have seen how customary that was in all inquisitorial trials. These words Sigismund himself virtually repeated in his address to Huss in the session of June 7: "Many say that we cannot, under the law, protect a heretic or one suspect of heresy." When Huss's execution aroused the wildest indignation throughout Bohemia, expressed to the council in missives of scant courtesy, the council asserted its position in a decree formally adopted September 23, 1415, that no safe-conduct from any secular potentate could work prejudice to the Catholic faith, or could prevent any competent tribunal from trying, judging, and condemning a heretic or suspected heretic, even though, if trusting to the safe-conduct, he had come to the place of judgment and would not have come without it. So thoroughly did the council cause this to be recognized that, in 1432, in the Convention of Eger, stipulating the bases of negotiation between the Hussites and the Council of Basle, it was expressly agreed that no canons or decretals should be alleged to derogate, infringe, or annul the safe-conducts under which the Bohemian envoys were to appear before the council.*

* Richentals Chronik p. 78.—Von der Hardt IV. 313, 521–22.—Chron. Glassberger ann. 1415.—Martene Ampl. Collect. VIII. 131–33. Cf. Noel Alexander's justification of the decree of September 23 (Hist. Eccles. Ed. Paris, 1699. T. VIII. p. 496).

It is customary with modern Catholic writers to stigmatize as a Protestant calumny the assertion that the Church held the doctrine that faith is not to be kept with heretics. See, for instance, Van Ranst, Regent of the College of Antwerp, in his "Historia Hæreticorum" (4th. Ed. Venet. 1759, p. 263), together with his ingenious endeavor to argue away the case of Huss. I have already alluded to this subject (Vol. I. p. 228), and have shown that it was a recognized principle of the Church that faith and oaths pledged to heretics were void. It has also been seen how the efforts of the popes procured the insertion in the public law of Europe of the principle that suspicion of heresy in the lord released the vassal from the most binding engagement known to the Middle Ages—the oath

The trial of Huss has been the subject of much indignant eloquence. It is the most conspicuous instance of an inquisitorial

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of allegiance (Lib. v. Extra, VII. xiii. § 3). When thus the basis on which society itself was founded was destroyed by heresy all minor pledges were necessarily invalidated. The Church did not allow this to become obsolete. When, in 1327, John XXII. sentenced the Emperor Louis of Bavaria as a heretic, he not only released all his vassals from their oaths of allegiance, but declared void all compacts and agreements made with him (Martene Thesaur. II. 702, 775–6, 791). So, in 1463, when it pleased Pius II. to declare George Podiebrad a heretic, he released the communities of Breslau and Namslau from their allegiance, and excommunicated all who should lend their aid or service to their monarch (Æn. Sylvii Epist. 401); and when Frederic III. asked him to compel Breslau to submit to George, he replied by arguing that heresy dissolved compacts as effectually as death (Martene Ampl. Coll. I. 1598–99). When, in 1469, Paul II. again declared George a heretic he pronounced that each and every obligation, promise, and oath made to that heretic was null and void, for faith was not to be kept with him who kept not faith with God. Acting under this, when George released from prison Wenceslas of Biberstein, on bail of six thousand florins furnished by John and Ulric of Hazemburg, the papal legate Rudolph incontinently ordered the bailors neither to surrender the accused nor to pay the forfeit (Ludewig Reliq. MSS. VI. 77).

The play upon the double meaning of the word faith by which this was epigrammatically justified was seriously accepted by Christendom. In April, 1415, Fernando of Aragon wrote to Sigismund earnestly remonstrating with him for the delay in judging Huss, and expressing the hope that the safe-conduct would not be allowed to protect him "*quoniam non est frangere fidem in eo qui Deo fidem frangit.*"—Andreæ Ratisponens Chron. ann. 1414 (Pez Thesaur. Anecd. IV. III. 626. — Palacky Documenta, p. 540).

All statutes and laws impeding the free action of the Inquisition, directly or indirectly, were null and void *ipso jure*, as we have repeatedly seen above (see also Farinaccii de Hæresi Quæst. 182 No. 76); and what Sigismund could not have done at the head of the Imperial Diet, he certainly could not do by a simple safe-conduct, and no ecclesiastical jurisdiction was bound to respect it.

If the Church thus disregarded the pledges of laymen, it was equally unmindful of its own when heretics were concerned. Even late in the sixteenth century the bull *Multiplices inter* of Pius V. annulled all letters of absolution and decrees of acquittal for heresy issued by inquisitors, bishops, popes, and even by the Council of Trent, showing how scant was the ceremony customarily used in such cases, and how completely suspicion of heresy deprived a man of all rights (Lib. v. in Septimo III. x.).

Even without this general principle, however, there would have been no difficulty in soothing Sigismund's scruples of conscience, if, perchance, he had any. The system of the mediæval Church so completely confused the ideas of right

process on record, and to those unacquainted with the system of procedure which had grown up in the development of the Holy Office, its practical denial of justice has seemed a wilful perversity on the part of the council, while the sublimely pathetic figure of the sufferer has necessarily awakened the warmest sympathy. Yet, in fact, the only deviations of the council from the ordinary course of such affairs were special marks of lenity towards the accused. He was not subjected to the torture, as in the customary practice in such cases he should have been, and, at the instance of Sigismund, he was thrice permitted to appear before the whole body and defend himself in public session. When, therefore, we see how inevitable was his condemnation, how he could have saved himself only at the cost of burdening his soul with perjury and converting his remaining years into a living lie, we obtain a measure of the infamy of the system, and can in some degree estimate the innumerable wrongs inflicted on countless thousands of obscure and forgotten victims. In this aspect the trial is worthy of examination, for though it presents no novel points of procedure, except the concessions made to Huss, it affords an instructive example of the manner in which the inquisitorial process described in preceding chapters was practically applied.

The case against Huss was rendered stronger, almost at the outset, by the action of his friends at home. It must have been shortly after his arrival in Constance that Jacobel of Mies, who had

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and wrong that the ordinary notions of morality were superseded. The power of the keys was such that a papal dispensation could release any one from an inconvenient vow or promise, no matter how binding might be its form. Sigismund's father, Charles, when Margrave of Moravia, was released, in 1346, by Clement VI. from a troublesome oath which he had taken (Werunsky Excerptt. ex Regist. Clem. VI. p. 44); and the sin of perjury was one for which the popes were accustomed to grant efficacious pardons when it was committed in their interest (Ludewig op. cit. VI. 14). It was deemed only a reasonable precaution in compacts for the parties to pledge themselves that they would not seek a release by a papal dispensation (Hartzheim IV. 329; Preger, Der kirchenpolitische Kampf unter Ludwig dem Baier, p. 59). Sigismund, in the case of Huss, admitted that his pledge was dissolved by heresy and a dispensation was superfluous, but it could have been had for the asking. In view of these facts all attempts to argue away the betrayal of Huss are useless, nor is it possible to accuse the good fathers of Constance of conscious bad faith. They but accepted and enforced the principles in which they were trained.

succeeded Michael de Causis in the Church of St. Adalbert, commenced to administer communion in both elements to the laity, and thus gave rise to the most distinguishing and obstinate feature of Bohemian heresy. Zeal for the Eucharist had long been a marked peculiarity of religious devotion in Bohemia. The synod of 1390 promised an indulgence of forty days to all who bent the knee on the elevation of the host; and the frequent partaking of the sacrament was repeatedly and strenuously urged by those who have been classed as the precursors of Huss. Mathias of Janow had even ventured to recommend that the cup should be restored to the laity, but the question had never reappeared during the stormy years in which Huss and his friends had been battling for the Wickliffite doctrines. According to Æneas Sylvius, a certain Peter of Dresden, infected with Waldensian errors, had left Prague with the other Germans in 1409, but was driven from home on account of his heresy and took refuge again in Prague, where he supported himself as a teacher of children. He it was who suggested to Jacobel the return to the ancient practice of the Church; the heretics, delighted to find a question in which they were clearly in the right, eagerly embraced it. The custom spread to the churches of St. Michael, St. Martin, the Bethlehem Chapel, and elsewhere, in spite of the opposition of King Wenceslas and Archbishop Conrad, who vainly threatened secular punishments and ecclesiastical interdicts. Huss was speedily communicated with. He approved of the custom, as indeed he could not well help doing, and his tract in its favor, when conveyed to the disciples, gave a fresh impetus to the movement. It was in vain that on June 15, 1415, the council condemned the use of the cup by the laity, pronounced heretics all priests so administering the sacrament, ordered them to be handed over to the secular arm, and commanded all prelates and inquisitors to prosecute as heretics those who denied the propriety of communion in one element. For more than a century the Utraquists, or Calixtins, as they called themselves, were the ruling party in Bohemia. The consciousness of being in the wrong and of having to justify itself by all manner of trivial excuses rendered the council additionally eager to crush the insubordination of which Huss was the representative.*

* Mandata Synodalia ann. 1390 (Höfler, Prager Concilien, p. 40).—Æn. Sylvii

We have seen that Huss was arrested November 28, 1414. Michael de Causis, Stephen Palecz, and others of his enemies had

Hist. Bohem. cap. 35.—Laur. Byzyn. Diar. Bell. Hussit. ann. 1414 (Ludewig Reliq. MSS. VI. 125, 128–9). — Von der Hardt III. 335 sqq.; IV. 288–91, 334, 342.— Jo. Hus Monument. I. 42–44, 62, 72.

The relentless obstinacy with which the Church of the fifteenth and sixteenth centuries refused the use of the cup to the laity at the cost of Christian unity and unnumbered troubles is perhaps the most impressive example on record of the perversity of sacerdotalism in sacrificing essentials to non-essentials. No one denied that in the early Church communion in both elements was administered to all the faithful, as it continued to be without interruption in the Greek Church. The refusal of the cup to the laity was originally a Manichæan custom, in imitation of the corresponding ancient Izeshne rite of the Mazdeans. Communion in one element thus became a mark of heresy, and was condemned as such by Leo the Great (Leon. PP. I. Serm. XLII. cap. 5), about the middle of the fifth century, and again towards its end by Gelasius I., whose decretal on the subject is embodied, without comment or contradiction, by Gratian in the Decretum (P. II. Dist. ii. c. 12), showing that it was still good law in the twelfth century.

When, however, in the tenth and eleventh centuries the belief in transubstantiation became the accepted dogma of the Church, the supreme veneration felt for the consecrated elements naturally gave rise to the necessity of the utmost care in handling them and to excessive dread as to any accidents which might occur to them; and the penitentials grew full of all manner of penalties inflicted on priests who, through carelessness, let fall a crumb of the body or a drop of the blood, for which, by forged decretals of the early popes, a false antiquity was claimed (Decreti III. ii. 27). Of course the liquid was much more subject to these accidents, and to decomposition, than the solid, and the ministering priests were sorely tried to avert such profanation and its consequences to themselves. At first they adopted the ready expedient of dipping the host in the wine-and-water, and thus administering both elements together, which was conducive both to safety and comfort. This innovation was condemned by the Church, but was suppressed with great difficulty. Under Gregory VII. the author of the Micrologus devotes a chapter to its prohibition (Micrologi c. 19). In 1095 the great Council of Clermont forbade it, except in cases where it was demanded by prudence or necessity for the avoidance of accidents (Conc. Claromont. ann. 1095, c. 28); and some twenty years later Paschal II. laid down the rule that it was only admissible in the communion of infants and the sick who could not swallow the bread (Paschal PP. II. Epist. 535). In a Bohemian document dating about the close of the twelfth century the priest carrying the viaticum to the dying is directed to dip the wafer in the wine so as to avoid accidents and yet be able to administer both elements (Höfler, Prager Concilien, Einleitung, p. ix.). When this resource was denied, while the veneration of the sacrament as the flesh and blood of Christ continued to develop, the custom was gradually

presented formal articles of accusation against him. These, drawn up in the name of Michael, accused him of maintaining the remanence of the substance in the Eucharist after consecration, of as-

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introduced of restricting the laity to the solid element, in administering which there was less liability to accident, while the priest continued to partake in both. About 1270 Thomas Aquinas tells us that in some churches the bread only is given to the laity, as a matter of prudence, to avoid spilling, and his dialectics are equal to the task of proving that both body and blood are contained in the wafer (Summa III. lxxx. 12). The convenience of the innovation led to its extension, but it was left to the individual churches, and no authoritative decree was issued withdrawing the cup from the laity until the Bohemian controversy led to the action of the Council of Constance. How universal the custom had become without authority of law is shown by the special privilege granted, about 1345, by Clement VI. to John, Duke of Normandy, son of Philip of Valois, to receive both elements (Martene Ampl. Coll. I. 1456–7). When the question was exhaustively debated before the Council of Basle, the orator of the council, John of Ragusa, freely admitted that the Hussite practice was in accordance with the traditions of the Church, but argued that it could be changed if convenience or other reasons demanded it (Harduin. Concil. VIII. 1712, 1740); and the Cardinal of St. Peter told William, Baron of Kostka, the Bohemian chief, that the cup was refused to children and common people simply as a precaution, adding, "If you were to ask of me I would give it, but not to the careless" (Petri Zaticensis Liber Diurnus; Mon. Concil. Gen. Sæc. XV. T. I. p. 315). The final decision of the Council of Basle, in December, 1437, admits that there is no precept on the subject, but lay communion in one element is a laudable custom, the law of the Church, and not to be modified without authority (Conc. Basiliens. Sess. xxx.; Harduin. VIII. 1234). How thoroughly indefensible the Church felt its position to be, yet how arbitrarily and despotically it was resolved to enforce that position, is most clearly shown by the inquisitor Capistrano, in 1452, when he heard that the cardinal legate, Nicholas of Cusa, was thinking of giving Rokyzana a hearing on the subject at Ratisbon. Capistrano expressed his mind freely to the legate: "If we excuse the heretics we condemn ourselves. . . . I have always avoided a debate with the Bohemians under the ordinary rules, for they study to justify their heresy from the ancient Scriptures and observances, and they have a perfect knowledge of the texts, which certainly are numerous, in favor of communion in both elements." Capistrano then quotes to the legate the bulls of Nicholas V. sent to him, in which the Bohemians are denounced as schismatics, heretics, and disobedient to the Roman Church, pointedly adding that the disciple is not above the teacher, nor the servant superior to the master; he had never read in the law that heretics were to be rewarded, but were to be sharply punished with confiscation and the bitterest penalties (Wadding. Annal. ann. 1452, No. 12). So it had come to this, that those who admittedly followed the practices of the Church current until the thirteenth century were to be con-

serting the vitiation of the sacraments in the hands of sinful priests and denying the power of the keys under the same conditions, of holding that the Church should have no temporal possessions, of

demned and exterminated as heretics. Disobedience was heresy, and Rome, for a century, endeavored to convulse Europe on this simple punctilio.

An episode of this question was the communion of infants. This was the practice of the early Church (Cyprian. de Lapsis c. 25), and St. Innocent I. and St. Gelasius I. had both declared that as soon as infants were baptized the sacrament was necessary to secure them eternal life (Innocent PP. I. Epist. xxx. c. 5; Gelasii PP. I. Ep. VII.). The epistle of Paschal II., quoted above, shows that this was still customary in the twelfth century, but the same causes which led to the withdrawal of the cup from the laity induced the withholding of the sacrament from infants, who were liable at any moment unconsciously to commit sacrilege with the body and blood of Christ. In their enthusiasm for the Eucharist the Bohemians naturally recurred to infantile communion, and their obstinacy in this gave the fathers of Basle infinite trouble. After the reconciliation of 1436 the question still remained disputed. The feeling about it is well defined by the Bishop of Coutances, legate of the Council of Basle in Prague, who was horror-stricken when, April 28, 1437, Rokyzana administered communion to a number of infants, and one of them ejected the wafer from its mouth, forcing Rokyzana quietly to replace it. This incident was evidently regarded as the most convincing argument, and the terms in which it is alluded to show how profound was the terror which it was expected to create (Jo. de Turonis Regestrum; Monument. Conc. Gen. Sæc. XV. T. I. p. 863). At the Council of Constance it was gravely argued that if a layman allowed the wine to moisten his beard he ought to be burned with his beard (Von der Hardt III. 369). Gerson was not quite so absurd, but he did not shrink from alleging such reasons as the expensiveness of wine and its liability to turn sour (ib. 771 sqq.). In 1391, when John Malkaw, in preaching against the concubinary priesthood, hotly declared that he would rather place reverently on the ground a consecrated wafer than violate his vow of chastity, Böckeler, the Strassburg inquisitor, in trying him, made this the ground of a charge of heresy with respect to the sacrament of the altar (Haupt, Zeitschrift für Kirchengeschichte, 1883, pp. 366–7).

In older times the Church had felt no such exaggerated reverence for the elements. In 646 Pope Theodore, when he excommunicated Pyrrhus, the refugee Patriarch of Constantinople, mingled consecrated wine from the cup with the ink with which he signed the sentence; and in 869 the Council of Constantinople adopted the same device in condemning Photius. — Chr. Lupi Dissert. de Sexta Synodo c. v. (Opp. III. 25).

As a matter of course the vilest stories were circulated to inspire the faithful with abhorrence for the Bohemian innovations. It was said that the wine was consecrated in bottles and barrels; that the sectaries held conventicles in cellars, where they would partake of it to intoxication and then commit all manner of sexual abominations (Laur. Byzyn. Diar. Bell. Hussit.; Ludewig VI. 129–30).

disregarding excommunication, of granting the cup to the laity, of defending the forty-five condemned articles of Wickliff, of exciting the people against the clergy, so that if he were allowed to return to Prague there would be a persecution such as had not been seen since the days of Constantine, and of other errors and offences. This was more than sufficient to justify his trial, and the process was commenced without delay by the appointment, December 1, of commissioners to examine him. These commissioners were, in fact, inquisitors, and the council at large served as the assembly of experts in which, as it will be remembered, final assent was given to the judgment. One of the commissioners at least, Bernardo, Bishop of Città di Castello, was already familiar with the matter, for, only the year before, as papal nuncio in Poland, he had assisted in driving away Jerome of Prague. In addition to the articles of Michael de Causis there was a kind of indictment against Huss presented to the commissioners by the procurators and promoters of the council, reciting the troubles at Prague, his excommunication, and his teaching of Wickliffite heresies.*

At first the proceedings were pushed with a vigor which seemed to promise a speedy termination of the case. As soon as Huss recovered from his first sickness there was submitted to him a series of forty-two errors extracted from his writings by Palecz. To these he replied *seriatim* in writing, explaining the false constructions which he asserted had been placed on some passages, defending some, and limiting and conditioning others. As he was denied the use of books, even of the treatises which were the source of the charges, these answers manifest a wonderful retentiveness of memory and quickness and clearness of intellect. Sometimes he was visited in his prison by the commissioners and personally interrogated. A Carthusian, writing from Constance, May 19, relates that the day before he had been present at such an examination and had never seen so bold and audacious a scoundrel or one who could so cautiously conceal the truth. On the

* Palacky Documenta, pp. 194–204, 506. — Mladenowic Relatio (Palacky, p. 252).

The council itself recognized that its proceedings were inquisitorial. In the sentence of Jerome of Prague it uses the phrase "*Hæc sancta synodus Constantiensis in causa inquisitionis hæreticæ pravitatis per eamdem sanctam synodem mota.*"— —Von der Hardt IV. 766.

other hand, we have his own account of one of these interviews. The commissioners were accompanied by Michael and Stephen to prompt them. Each article was read to him and he was asked if such was his belief; he replied, explaining the sense in which he held it. Then he would be asked if he would defend it, and he would answer no, but that he would stand to the decision of the council. Nothing could well seem more submissive or more orthodox, and under any other system of jurisprudence conviction might well appear impossible. Heresy, however, as we have seen, was a crime; once committed, even through ignorance, a simple return to the Church was not enough; belief in the errors must be admitted and then abjured, before the criminal could be considered as penitent and entitled to the substitution of perpetual imprisonment for the death-penalty. Huss was condemned on heresies which he had not held rather than those which he had taught.*

Thousands of miserable wretches had been convicted on a tithe of the evidence now brought against him. Stephen Palecz, a man of the highest repute, swore before the commissioners that since the birth of Christ there had been no more dangerous heretics than Wickliff and Huss, and that all who customarily attended the sermons of the latter believed in the remanence of the substance of bread in the Eucharist. What Palecz testified there were scores of others to substantiate and amplify. Witnesses were there in abundance to prove that he believed in the remanence of the bread, that the sacraments were vitiated in the hands of sinful priests, that indulgences were of no avail, that the Church of Rome was the synagogue of Satan, that heresy was to be overcome by disputation and not by force, that a papal excommunication was to be disregarded. Many of these errors he indignantly denied having entertained, but it was in vain. In vain he wrote out in prison, as early as March 5, 1415, his tract, "*De Sacramento Corporis et Sanguinis*," in which he declared that full transubstantiation took place; that God worked the miracle irrespective of the merits of the celebrant; that the body and blood of Christ were both in the bread and in the wine, and that he had taught this doctrine since 1401, before he was a priest. In

* Palacky, pp. 204–24. — Mladenowic Relatio (Palacky, p. 254). — Martene Thesaur. II. 1635.—Jo. Hus Epist. xlviii. (Monument. I. 72).

vain, shortly before his execution, his devotion burst forth in a hymn in which he exclaimed:

"O quam sanctus panis iste,
Tu es solus Jesu Christe,
Caro, cibus, sacramentum,
Quo non majus est inventum!"

In vain during his public audience of June 8 he disputed earnestly in favor of the same belief. The witnesses swore to the contrary. He had no right to call rebutting testimony, and could only appeal to God and his conscience. He was proved a heretic who must confess and abjure or be burned.*

His only possible line of defence, as has been shown above (Vol. I. p. 446) would have lain in disabling the witnesses for mortal enmity—for enmity such as would lead them to seek his life—and even this would not have been available against the errors which the commissioners had extracted, falsely, as he asserted, from his writings. As regards the witnesses, the commissioners made an unusual concession to him when, during his sickness in December, some fifteen of them were taken to his cell that he might see them sworn. Some of them, it is said, declared that they knew nothing; others were bitterly hostile to him. To this extent he knew some of the names, and others he was acquainted with because they were attached to depositions taken in advance at Prague for Michael de Causis, which by some means had fallen into the hands of Huss before he started for Constance. Some of these names, probably on this account, were attached to the article on the subject of remanence presented in the hearing of June 7, but in the final sentence no names are mentioned; the witnesses to each article are designated simply by titles, such as a canon of Prague, a priest of Litomysl, a master of arts, a doctor of theology, etc., and when Huss asked the name of one of them it was refused. This was strictly in accordance with rule.†

* Epist. xxxii. (Monument. I. 68).—Von der Hardt IV. 420–8.—Jo. Hus Monument. I. 39–41.—Mladenowic Relatio (Palacky, pp. 276–8, 302, 318).

Already in 1411 Huss energetically disclaimed to John XXIII. belief in remanence and in the vitiation of sacraments (Palacky, p. 19. Cf. pp. 164–5, 170, 174–85).

† Mladenowic Relatio (Palacky, pp. 252–3).—Palacky, pp. 73, 174, 318, 560.—Von der Hardt IV. 308, 420–8.

Yet the hostility of those who testified against him was notorious. At the place of execution he declared that he was convicted of errors which he did not entertain, on the evidence of false witnesses. The Bohemians in Constance, in their memorial of May 31, 1415, to the council, declared that the testimony against him was given by those who were his mortal enemies. At one time he or his friends thought of disabling them on this account, but when he asked the commissioners to permit him to employ an advocate who could take the necessary exceptions to the evidence, although they at first assented they finally refused, saying that it was against the law for any one to defend a suspected heretic. This, as we have seen, was strictly true, and if the maintenance of the rule may seem harsh, we must remember on the other hand that the friends of Huss were allowed unexampled liberty in working in his behalf. Their repeated memorials to the council and their efforts with Sigismund made them guilty of the crime of fautorship, and if there had been any disposition to enforce the law they could have been reduced to instant silence and have been grievously punished.*

It had not taken long to secure evidence more than ample for Huss's conviction, and if his burning had been the object desired it might have been speedily accomplished. We have seen, however, how much the Inquisition preferred a penitent convert to a cremated heretic, and in this case, perhaps more than in any other on record, confession and submission were supremely desirable. Huss, as a self-confessed heresiarch, would be deprived of all importance, and his disciples might be expected to follow his example: as a martyr, there was no predicting whether the result would be terror or exasperation. The milder customary methods of the Inquisition were therefore brought to bear to break down his stubborn obstinacy by procrastination, solitude, and despair. Had his judges desired to be harsh they could have had recourse to torture, which was the ordinary mode of dealing with similar cases. In this they would have been fully justified by law and custom. The less violent but equally efficient device of prolonged starvation could likewise have been employed, but was mercifully for-

* Mladenowic Relatio (Palacky, pp. 253, 323).—Von der Hardt IV. 188, 212, 289.—Epist. xlix. (Monument. I. 73 *a*).

borne. Yet the slower but not less wearing torture of indefinite imprisonment was not spared him. He was kept in the Dominican convent until March 24. Although his petition to be allowed to see his friends was refused, they were permitted to furnish him with writing materials, and he employed his enforced leisure in composing a number of tracts which, written without the aid of books, show his extensive and accurate acquaintance with Scripture and the Fathers. His sweet temper won the goodwill of all who were brought in contact with him, and he gratefully alludes to the kindness with which he was treated both by his guards and by the clerks of the papal chamber. The winning nature of the man, as well as the gold of his friends, probably explains the correspondence which at this period he was able to maintain with them, though all communication with him was forbidden. Letters were conveyed back and forth clandestinely, sometimes carried in food, in spite of the vigilance of his enemies. Michael de Causis hovered around the gate, saying, "By the grace of God we shall burn that heretic who has cost me so many florins," and procuring that the wives of the guards, whom he suspected as letter-carriers, should be excluded. All this ceased when the quarrel between pope and council culminated. On March 20 John XXIII. secretly fled from Constance, when the guards placed over Huss delivered the keys to Sigismund and followed their master. The council then handed Huss over to the custody of the Bishop of Constance, who carried him in chains by night to the castle of Gottlieben, some miles from the city across the Rhine. His friends had requested that he should have a more airy prison, and the request was more than granted, for he was now confined in a room at the top of a tall tower. Though his feet were fettered he was able to move about during the day, but at night his arm was chained to the wall. As escape was impossible, the confinement was evidently intended to be punitive. Here he was completely isolated from all intercourse with his fellow-beings and left to his own dreary introspection. Disease added to the harshness of his prison. From the foul Dominican cell to the windy turret-room of Gottlieben, he was exposed to every variety of unwholesome conditions. Stone, an affection hitherto unknown to him, tormented him greatly. Toothache and headache combined to increase his sufferings. On one occa-

sion a severe attack of fever, accompanied by excessive vomiting, so prostrated him that his guards carried him out of his cell thinking him about to die. Yet throughout all his letters from prison the beautiful patience of the man shines forth. For the enemies who were pursuing him to the death there is only forgiveness; for the trials with which God has seen fit to test his servant there is only submission. He overflows with gratitude for the steadfast affection of his friends, and sends touching requests of remembrance to them all; he teaches charity and gently points out the way to moral and spiritual improvement. There is neither the pride of martyrdom nor the desire for retribution; all is pious resignation and love and humility. Since Christ, no man has left behind him a more affecting example of the true Christian spirit than John Huss, while fearlessly awaiting the time when he should suffer for what he believed to be truth. He was one of the chosen few who exalt and glorify humanity. Yet he was but human, and the final victory was not won without the agony of self-conquest; while at times he comforted himself with dreams that God would not suffer him to perish, but that like Daniel and Jonah and Susannah he would be rescued when all help seemed vain.*

Hope seemed justified when the rupture occurred between the pope and the council. No sooner was Huss made aware of the flight of John XXIII. than he begged his friends to see Sigismund instantly and procure his liberation. The answer was his transfer to the tower of Gottlieben. When the pope was brought back a prisoner to the same castle of Gottlieben, and the council proceeded to try and condemn him as a simonist and dilapidator who was ruining the Church, while his personal vices and crimes, unfit for description, were a scandal to Christendom, such confirmation of all that the Wickliffites had urged might well seem to justifiy the expectation that Huss would be released with honor. John XXIII., however, with the wisdom of the children of the world, essayed no defence; he confessed all that was laid to his

* Von der Hardt IV. 47.—Mladenowic Relatio (Palacky, p. 255).—Palacky, p. 541.—Jo. Hus Monument. I. 7, 29–42.—Epistt. xi., xxvii., xxx., xxxi., xxxii., xxxvi., xlvii., li., lii., lvi. (Monument. I. 60, 65–9, 72–5).—Laur. Byzyn. Diar. Bell. Hussit. (Ludewig Reliq. MSS. VI. 128–9).

charge, submitted to the council, and was eventually, after a few years of imprisonment, rewarded by Martin V. with the lofty post of Dean of the Sacred College. Huss, with the constancy of the children of light, refused to perjure himself by confession, and there could be no escape for him.*

The council had been assembled to reform the Church, and was performing its duty in its own way, but nothing could be further from the thoughts of its most zealous members than the revolutionary reform of Wickliff and Huss, which would reduce the Church to apostolic poverty and deprive it of all temporal power. Besides the doctrinal errors, attested by abundant witnesses, there was ample material in Huss's writings to prove him a most dangerous enemy of the whole ecclesiastical system. He had written his tract "*De Ablatione Bonorum*" in defence of one of the forty-five condemned Wickliffite articles which asserted that the temporal lord could at will deprive of their temporalities ecclesiastics who were habitual delinquents. His tract "*De Decimis*" defended another of the articles, contending that no one in mortal sin could be a temporal lord, a prelate, or a bishop. John Gerson, one of the leading members of the council, had, as Chancellor of the University of Paris, before coming to Constance, drawn up a series of twenty such dangerous errors, extracted from Huss's treatise "*De Ecclesia*," and had urged Archbishop Conrad of Prague to extirpate the Wickliffite heresy by calling in the secular arm. Huss, in his deductions from the Wickliffite doctrines of predestination, had overthrown the very foundations of the hierarchical system. Among the cardinals in the council, Ottone Colonna had fulminated the papal excommunication which Huss had disregarded; Zabarella and Brancazio had been actively concerned in the proceedings against him before the curia—all of these and many others were thoroughly familiar with his revolutionary doctrines. What was to become of the theocracy founded by Hildebrand if such teachings were to pass unreproved, if their assertor was to be allowed to defend them and was only to be adjudged a heretic when overcome in scholastic disputation? The whole structure of sacerdotalism would be undermined and the whole body of canon law

* Epist. lii. (Monument. I. 75).—Theod. a Niem de Vit. Joann. XXIII. Lib. III. c. 5.—Raynald. ann. 1419, No. 5.

would be disregarded if so monstrous a proposition should be conceded. To the fathers of the council nothing could well seem more preposterous. Then Michael de Causis had intercepted a letter, written by Huss from prison, in which the ministers of the council were alluded to as the servants of Antichrist, and when this was brought to him by the commissioners he acknowledged its authenticity. Besides all this, he had remained under excommunication for suspicion of heresy during long years, during which he had constantly performed divine service, and he had called the pope an Antichrist whose anathema was to be disregarded. This of itself, as we have seen, constituted him a self-convicted heretic.*

It thus was idle to suppose that the council, because it had deposed John XXIII., would set free so contumacious a heretic, whose very virtues only rendered him the more dangerous. The inquisitorial process must go on to the end. Even during the bitterest and most doubtful portion of the contest, before the pope had been brought back to Constance, the successive steps of the trial received due attention. On April 17 four new commissioners were appointed to replace the previous ones, whose commissions from the pope were held to have expired, and the new commission was expressly granted power to proceed to final sentence. The only doubt arising was whether the condemnation of Wickliff, with which the case of Huss was inextricably related, should be uttered in the name of the pope or in that of the council, and its publication, May 4, in the latter form, showed that the assembly had no hesitation as to its duty in stamping out the heresy of the master and of the disciple. The active measures also, which during this period were taken against Jerome of Prague, were an indication not to be mistaken of the purposes of the council. Yet how little the friends of Huss understood the real position of affairs, and how false hopes had been excited by the rupture with the pope, is seen in their efforts at this juncture to press the trial to a conclusion. Under the procrastinating policy of the Inquisition it is quite possible that Huss would have been left to his solitary musings for a time indefinitely longer, in hopes that his resolu-

* Jo. Hus Monument. I. 118, 128.—Epist. xliii. (Ib. 71 *a*).—Palacky Documenta, pp. 60, 185, 523–8.—Mladenowic Relatio (Palacky, p. 301).

tion would at last give way, but for the efforts of his friends, who hoped to secure his release. On May 13 they presented a memorial complaining of his treatment, imprisoned in irons and perishing of hunger and thirst, without trial or conviction, in violation of the safe-conduct and of the pledged faith of the empire. They also remonstrated against the stories which were circulated to prejudice the case, that in Bohemia the blood of Christ was carried around in bottles, and that cobblers heard confession and celebrated mass. On May 16 the council replied to the effect that as far back as 1411 Huss had had a hearing before the Holy See and had been excommunicated, and had since then not only proved himself a heretic, but a heresiarch, by remaining under excommunication and preaching forbidden doctrines, even in Constance itself. As for the safe-conduct, we have seen how it was pretended to have been procured after the arrest. This elusive answer might have shown how the case was already prejudged by those who were to decide it; yet again, on May 18, the Bohemians presented a rejoinder urging promptitude. It was fully expected in Constance that a session would be held on the 22d, at which Huss would be condemned; but about this time attention was engrossed by the trial of John XXIII., who was at length deposed, May 29, and notified of his deposition on the 31st. Sigismund was now preparing for the voyage to Spain, which was expected to take place in June, and if anything was to be done with Huss before his departure further delay was inadmissible. Probably the Bohemians imagined that in some indefinable way he would yet save their leader. On May 31, therefore, they presented another memorial, reiterating their complaints about the safe-conduct and asking for a speedy public hearing. Sigismund entered during the discussion and strenuously urged the public audience, which was finally promised. Huss's friends further urged that he should be brought from his prison and be allowed a few days to recover from his harsh incarceration, and a show was made of complying with the request. On the same day John of Chlum had the satisfaction of forwarding to Gottlieben an order for the transmission of Huss to Constance. The next day, June 1, a special deputation from the council followed and presented to him the thirty articles which had been proved against him. They reported that he submitted himself to the council, but

he maintained that he only agreed to do so on such points as he could be proved to have taught erroneously. At last he was brought to Constance in chains and confined in the Franciscan convent.*

In the routine of the inquisitorial process there was no necessity for further parley with the accused. The articles of heresy were proved against him, and if he continued obstinately to deny them delivery to the secular arm was a matter of course. There had been no intention of permitting such an innovation on the regular procedure as a public audience, but Sigismund could see, if the council could not, that its denial would have a most unfortunate influence on public opinion in Bohemia, where, in the prevailing ignorance as to the inquisitorial rules, it would be claimed that the council was afraid to face their champion and was forced to condemn him unheard. It could, in reality, have no influence on the result, for the case was already virtually decided, but Huss's friends could not recognize this, and an attempt was made, without success, to speculate on their eagerness, by a demand for two thousand florins to defray the alleged expenses. The audiences which followed were thus wholly irregular, and may be briefly dismissed as in no sense entitled to the importance which has commonly been ascribed to them.†

On June 5 a congregation of the council was held in the Franciscan convent. At first the intention was to carry out the ordinary inquisitorial procedure by considering, in the absence of Huss, the articles proved against him, but Peter Mladenowic hastened to John of Chlum and Wenceslas of Duba, who forthwith appealed to Sigismund. The latter at once sent the Palsgrave Louis and Frederic Burggrave of Nuremberg to the council, with orders that nothing should be done until Huss was present and his books were before them for verification. At length, therefore, he had the long-desired opportunity of meeting his adversaries, and defending himself in public debate. The books from which his errors had been extracted were laid before him—his treatise "*De Eccle-*

* Von der Hardt IV. 100, 118, 136, 153, 189, 209, 212–13, 288–90, 296, 306.—Martene Thesaur. II. 1635.—Harduin. VIII. 280.—Mladenowic Relatio (Palacky, pp. 256–72).

† Epistt. xliii., xlvii. (Monument. I. 71, 72).—Von der Hardt IV. 291, 306–7.

sia" and his tracts against Stephen Palecz and Stanislaus of Znaim —and he acknowledged them to be his. The articles were taken up in succession. He was required to answer to each a simple yea or nay, and when he desired to explain anything a scene of indescribable confusion arose. When he asked to be taught wherein he had erred he was told that he must first recant his heresies, which was strictly in accordance with the law. The day wore away in the discussion, and it had to be renewed on the 7th, and again on the 8th—Sigismund being present on these latter occasions. Huss defended himself gallantly, with wonderful quickness of thought and dialectical skill, but nothing could be more unlike the free debate which he had deluded himself into anticipating when he left Prague. Although the Cardinal of Ostia, who presided, endeavored to show fairness, the assembly at times became a howling mob with shouts of "Burn him! Burn him!" Interruptions were incessant, he was baited on all sides with questions, and frequently his replies were drowned in clamor. As a judicial act it was a mockery, but it served the purpose desired by Sigismund, and the Church had shown itself not afraid of public discussion with the heresiarch. At the end of the third day of this tumultuous wrangling Huss was exhausted almost to fainting. The night before toothache had deprived him of sleep, an attack of fever supervened, and six months of harsh imprisonment had left him little physical endurance. The proceedings terminated with the cardinals urging him to recant and promising him merciful treatment if he would throw himself upon the mercy of the council. He asked for another hearing, saying that he would submit if his arguments and authorities were insufficient. To this Cardinal Peter d'Ailly replied that the unanimous decision of the doctors was that he must confess his error in publishing the articles ascribed to him, he must swear never in future to believe or teach them, and must recant them publicly. Huss begged the council for the love of God not to force him to wrong his conscience, for abjuration meant the renunciation of an error previously entertained, and many of those brought against him he had never held. Sigismund asked him why he could not renounce errors which he said had been ascribed to him through perjury, and Huss had to explain to him the technical meaning of abjuration. One member of the council even objected to the accused being admitted to re-

cantation, because he was not to be trusted, but this would have been wholly illegal. Even in the case of relapse the heretic always had a right to confess and recant, and the council was not to be betrayed into so manifest a denial of justice. It was impossible, in such a crowd of eager persecutors, to maintain the legal forms in all strictness, and there followed a number of volunteer accusations by individuals, on which an irregular discussion could not be repressed. Finally, as Huss was withdrawn, John of Chlum succeeded in giving him a friendly grasp of the hand and a word of sympathy. To the forlorn and despised heretic that touch and voice were a solace which nerved him for the yet harder trials of the succeeding weeks.*

His conscientious endurance was now to be tested to the uttermost. The wise general policy of the Inquisition, which preferred a confessed penitent to a martyr, was specially applicable in this case, for though Sigismund and the council underestimated the Bohemian fervor and obstinacy, the dullest could see that Huss confessing to having taught heresy and humbly seeking reconciliation would dispirit his followers, while no one could guess the extent of the conflagration which might spread from his pyre. Accordingly efforts were redoubled to induce him to confess and recant. Sigismund had prepared the way by assuring him during the public audience that no mercy would be shown him and that persistent denial would bring him to the stake, while he was not notified that behind the bland promises of mercy for submission there lay a sentence, which, while expressing joy at his humbly seeking absolution, pronounced him to be pernicious, scandalous, and seditious, and condemned him to degradation from the priesthood and to perpetual imprisonment. The council could do no otherwise, for this, as we have seen, was the punishment provided by the canons for repentant heretics, and yet in estimating the

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* Jo. Hus Monument. I. 25 *b*.—Von der Hardt IV. 307, 311–29.—Epistt. xii., xv., xxxvi. (Monument. I. 60–2, 69).—Palacky, pp. 275, 308–15.

The attempt to deny to Huss the inalienable privilege of recantation was based upon a mistranslated passage of his Bohemian address to his disciples, in which he was made to assure them that if he was forced to abjure, it would only be with the lips and not with the heart (Palacky, pp. 274, 311). In such matters the council was at the mercy of Huss's Bohemian enemies.

noble firmness of Huss we must bear in mind that no intimation of it seems to have been made to him.*

The obstacle in the way of Huss's abjuration lay not so much in the heresies which he had taught, as in those which he had not taught. On legal testimony his judges had found him guilty of all, but the worst of them, such as the remanence of the substance and the vitiation of the sacraments in polluted hands, he denied energetically ever to have held or expressed. Many of the errors extracted from his works, moreover, he repudiated, asserting that the passages had been garbled and perverted. In the eye of the law this denial was mere contumacy which only aggravated his guilt. The first condition of reconciliation was confessing under oath that he was guilty of having held these errors and then abjuring them. This was committing perjury to God in the most solemn fashion, and to a tender conscience like that of Huss it was worse than death. From this dilemma there was no escape. On the one hand lay the legal system, contrived with Satanic ingenuity and unalterable; on the other lay the purity of character which led Huss to reject without hesitation all the specious subterfuges suggested to beguile him.†

For a month the struggle continued, and no human soul ever bore itself with loftier fortitude or sweeter or humbler charity. He asked for a confessor, and intimated that he would prefer Stephen Palecz, the enemy who had hounded him to the death. Palecz came and heard his confession, and then urged him to abjure, saying that he ought not to mind the humiliation. "The humiliation of condemnation and burning is greater," replied Huss, "how then can I fear humiliation? But advise me: what would you do if you knew for certain that you did not hold the errors imputed to you? Would you abjure?" Palecz burst into tears and could only stammer, "It is difficult." He wept again freely when Huss begged his pardon for harsh words used in the heat of strife, and especially for calling him a falsifier. Another confessor was sent

* Von der Hardt IV. 432–33.

† Huss was by no means the first to suffer from this technical necessity of confession in abjuring. In the case of the English Templars, William de la More, Preceptor of England, and Humbert Blanc, Preceptor of Aquitaine, refused to abjure because they would not confess to heresies which they had never entertained.—Wilkins, Concil. II. 390, 393.

to him, who listened to him kindly and gave him absolution without insisting on preliminary abjuration, which was a most irregular concession—indeed, almost incredible. Many others were allowed to visit him in the hope of persuading him to confess and recant. One learned doctor urged his submission, saying, "If the council told me I had but one eye, I would confess it to be so, though I know I have two," but Huss was impervious to such example. An Englishman adduced the precedent of the English doctors who had, without exception, abjured the heresies of Wickliff when required to do so; but when Huss offered to swear that he had never held or taught the heresies imputed to him, and that he would never hold or teach them, his baffled advisers withdrew.*

The most formidable effort, however, was of an official character. At the final hearing of June 8, Cardinal Zabarella had promised him that a recantation in a form strictly limited would be submitted to him, and the promise was fulfilled in a paper skilfully drawn up, so as to satisfy his scruples. It represented him as protesting anew that much had been imputed to him which he had never believed, but that nevertheless he submitted himself in everything to the correction and orders of the council in abjuring, revoking, and retracting, and in accepting whatever merciful penance the council might prescribe for his salvation. Carefully as this was phrased to elude the difficulty, Huss rejected it without hesitation. In some matters, he said, he would be denying the truth, in others he would be perjuring himself. It were better to die than to fall into the hands of the Lord in the effort to escape momentary suffering. Then one of the fathers of the council—supposed to be the Cardinal of Ostia, the highest in rank of the Sacred College—addressed him as his "dearest and most cherished brother," with the most honeyed persuasiveness, begging him not to confide too absolutely in his own judgment. In making the abjuration it will not be he that condemns truth, but the council; as for perjury, if perjury there be, it will fall on the heads of those who exact it. Yet Huss was not to be enticed with such allurements; he could not quiet his conscience with casuistry such as this, and he deliberately chose death. In daily expectation of the dreadful sentence, he quietly put his simple affairs in order. Peter

* Epistt. xxx., xxxi., xxxii. (Monument. I. 67-8).—Von der Hardt IV. 342-5.

Mladenowic, the notary, had rendered him zealous service and should be paid out of his sixty grossi. His little debts were to be settled, and his books, apparently his only other property, were to be distributed. Kind remembrances were sent to his numerous friends, and they were told if they had learned any good of him to hold fast to it; if they had seen in him aught reprehensible to cast it aside. It was not that he was insensible, for he describes in moving terms the mental conflicts and agony which he endured in his hopeless prison, expecting each day to be led forth to an agonizing death, but the spirit rose superior to the flesh and remained victor in the struggle. Solicitous to retain the good opinion of his disciples, he managed to transmit to them, on June 18, a copy of the articles proved against him, together with a report of what his defence had been. Of those drawn from his writings he retracted none, although many he declared to be false and garbled. Those alleged against him by witnesses he mostly asserted to be lies, and he pathetically concluded, "It only remains for me to abjure and revoke and undergo fearful penance or to burn. May the Father, Son, and Holy Ghost grant me the spirit of wisdom and fortitude to persevere to the end and to escape the snares of Satan!"*

In hope of his weakening, the end was postponed until the approaching departure of Sigismund rendered further delay impossible. Yet effort was not abandoned till the last. On July 1 a deputation of prelates endeavored to persuade him that he could reasonably recant, but he handed them a written confession calling God to witness that he had never taught many of the articles; as for the rest, if there were error in them he detested it, but he could not abjure any of them. Puzzled by his unexpected tenacity of purpose, and earnestly desirous of avoiding the catastrophe, a final and unprecedented concession was agreed upon. On July 5 Zabarella and Peter d'Ailly sent for him and offered to let him deny the heresies proved by witnesses if he would abjure those extracted from his books. This was, in fact, an abandonment of all inquisitorial precedent, but Huss had persistently declared that

* Mladenowic Relatio (Palacky, p. 309).—Epistt. xxvii., xxix., xxx., xxxviii. xxxix., xl., xli. (Monument. I. 63–66, 67, 70).—Von der Hardt IV. 329–30.—Palacky, pp. 225–34.

most of the latter were fraudulently drawn, so as to attribute to him errors which he had never held, and he was immovable. As a last resource, later in the same day, Sigismund sent his friends John of Chlum and Wenceslas of Duba, with four bishops, to ask him whether he would persevere or recant, but his answer was as firm as ever. To the friendly adjuration of John of Chlum he replied with tears that he would willingly revoke anything in which he could be proved to have erred. The bishops pronounced him obstinate in error and left him.*

Thus the extraordinary efforts of the council to save itself and him were vain, and nothing remained but the inevitable final act of the tragedy. The next day, July 6, saw the most gorgeous *auto de fé* on record. The cathedral of Constance was crowded with Sigismund and his nobles, the great officers of the empire with their insignia, the prelates in their splendid robes. While mass was sung, Huss, as an excommunicate, was kept waiting at the door; when brought in he was placed on an elevated bench by a table on which stood a coffer containing priestly vestments. After some preliminaries, including a sermon by the Bishop of Lodi, in which he assured Sigismund that the events of that day would confer on him immortal glory, the articles of which Huss was convicted were recited. In vain he protested that he believed in transubstantiation and in the validity of the sacrament in polluted hands. He was ordered to hold his tongue, and on his persisting the beadles were told to silence him, but in spite of this he continued to utter protests. The sentence was then read in the name of the council, condemning him both for his written errors and those which had been proved by witnesses. He was declared a pertinacious and incorrigible heretic who did not desire to return to the Church; his books were ordered to be burned, and himself to be degraded from the priesthood and abandoned to the secular

* Mladenowic Relatio (Palacky, pp. 316–17).—Von der Hardt IV. 345–6, 386. —Palacky, p. 560.

To appreciate properly the extent of the concessions offered to Huss it is necessary to bear in mind the elaborately careful formulas of abjuration which the inquisitors were accustomed to use, so as to allow no loophole for the avoidance of the penalties of relapse, and to force the penitent to betray his fellow-heretics. See Modus Procedendi (Martene Thesaur. V. 1800–1).—Lib. Sententt. Inq. Tolosan. p. 215.—Bern. Guidon. Practica pp. 92–3 (Éd. Douais).

court. Seven bishops arrayed him in priestly garb and warned him to recant while yet there was time. He turned to the crowd, and with broken voice declared that he could not confess the errors which he had never entertained, lest he should lie to God, when the bishops interrupted him, crying that they had waited long enough, for he was obstinate in his heresy. He was degraded in the usual manner, stripped of his sacerdotal vestments, his fingers scraped; but when the tonsure was to be disposed of an absurd quarrel arose among the bishops as to whether the head should be shaved with a razor or the tonsure be destroyed with scissors. Scissors won the day, and a cross was cut in his hair. Then on his head was placed a conical paper cap, a cubit in height, adorned with painted devils and the inscription, "This is the heresiarch." In accordance with the universal custom no proceedings by the secular authorities were regarded as necessary. As soon as the ecclesiastical court had pronounced him a heretic and handed him over, the laws against heresy operated of themselves. Sigismund, it is true, might have delayed the execution for six days, but this would have been so unusual as to have excited most unfavorable comment. There had already been afforded ample opportunity for resipiscence, and the convict could always still recant up to the lighting of the fagots. Nothing could reasonably be hoped from further postponement, and Sigismund's approaching departure counselled promptitude. He therefore briefly ordered the Palsgrave Louis to take charge of the culprit and to do to him as to a heretic. Louis called to Hans Hazen, the imperial vogt of Constance, "Vogt, take him as judged of both of us and burn him as a heretic." Then he was led forth, and the council calmly turned to other business, unconscious that it had performed the most momentous act of the century.*

The place of execution was a meadow near the river, to which he was conducted by two thousand armed men, with Palsgrave Louis

* Mladenowic Relatio (Palacky, pp. 318-21).—Von der Hardt IV. 389-96, 432-40.—Harduin. VIII. 408-10.—Richentals Chronik p. 80.—Richental says that Huss was delivered to the secular arm with the customary adjuration for mercy, but the text of the sentence as printed by Von der Hardt contains no such clause. It may well have been omitted at Sigismund's request, as he had already incurred sufficient obloquy, but the same omission is noticeable in the sentence of Jerome of Prague (Von der Hardt IV. 771).

at their head, and a vast crowd, including many nobles, prelates, and cardinals. The route followed was circuitous, in order that he might be carried past the episcopal palace, in front of which his books were burning, whereat he smiled. Pity from man there was none to look for, but he sought comfort on high, repeating to himself, "Christ Jesus, Son of the living God, have mercy upon me!" and when he came in sight of the stake he fell on his knees and prayed. He was asked if he wished to confess, and said that he would gladly do so if there were space. A wide circle was formed, and Ulrich Schorand, who, according to custom, had been providently empowered to take advantage of any final weakening, came forward, saying, "Dear sir and master, if you will recant your unbelief of heresy, for which you must suffer, I will willingly hear your confession; but if you will not, you know right well that, according to canon law, no one can administer the sacrament to a heretic." To this Huss answered, "It is not necessary: I am no mortal sinner." His paper crown fell off and he smiled as his guards replaced it. He desired to take leave of his keepers, and when they were brought to him he thanked them for their kindness, saying that they had been to him rather brothers than jailers. Then he commenced to address the crowd in German, telling them that he suffered for errors which he did not hold, sworn to by perjured witnesses; but this could not be permitted, and he was cut short. When bound to the stake and two cart-loads of fagots and straw were piled up around him the pals-grave and vogt for the last time adjured him to abjure. Even yet he could have saved himself, but he only repeated that he had been convicted by false witnesses of errors never entertained by him. They clapped their hands and then withdrew, and the executioners applied the fire. Twice Huss was heard to exclaim, "Christ Jesus, Son of the living God, have mercy upon me!" then a wind springing up and blowing the flames and smoke into his face checked further utterance, but his head was seen to shake and his lips to move while one might twice or thrice recite a paternoster. The tragedy was over; the sorely-tried soul had escaped from its tormentors, and the bitterest enemies of the reformer could not refuse to him the praise that no philosopher of old had faced death with more composure than he had shown in his dreadful extremity. No faltering of the voice had betrayed an internal

struggle. Palsgrave Louis, seeing Huss's mantle on the arm of one of the executioners, ordered it thrown into the flames lest it should be reverenced as a relic, and promised the man to compensate him. With the same view the body was carefully reduced to ashes and thrown into the Rhine, and even the earth around the stake was dug up and carted off; yet the Bohemians long hovered around the spot and carried home fragments of the neighboring clay, which they reverenced as relics of their martyr. The next day thanks were returned to God, in a solemn procession in which figured Sigismund and his queen, the princes and nobles, nineteen cardinals, two patriarchs, seventy-seven bishops, and all the clergy of the council. A few days later Sigismund, who had delayed his departure for Spain to see the matter concluded, left Constance, feeling that his work was done.*

The long-continued teaching of the Church, that persistent heresy was the one crime for which there could be no pardon or excuse, seemed to deprive even the wisest and purest of all power of reasoning where it was concerned. There was no hesitation in admitting that the pestilent heresy of the Hussites was caused by the simoniacal corruptions of the Roman curia, whereby many Christian souls were led to eternal perdition, and that it could not be eradicated until a thorough reformation was effected. Yet in place of drawing from this the necessary deduction, the feeling of the council is reflected by its historian in the blasphemous representation of Christ as recording with satisfaction the hideous details of the execution, and as saying that the wicked soul of the heretic commenced in temporal flame the torment which it would suffer through eternity in hell. The trial, in fact, had been conducted in accordance with the universally received practice in such cases, the only exceptions being in favor of the accused. If the result was inevitable, it was the fault of the system and not of the judges, and their consciences might well feel satisfied.†

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* Richentals Chronik pp. 80–2.—Von der Hardt IV. 445–8.—Mladenowic Relatio (Palacky, pp. 321–4).—Æn. Sylvii Hist. Bohem. c. 36.—Laur. Byzyn. Diar. Bell. Hussit. (Ludewig VI. 135–6).—Andreæ Ratispon. Chron. (Pez Thes. Anecdot. IV. III. 627).

† P. d'Ailly (Theod. a Niem) de Necess. Reform. c. 28, 29 (Von der Hardt I. VI. 306–9).—Theod. Vrie Hist. Concil. Constant. Lib. VI. Dist. 11; Lib. VII. Dist. 3 (Ibid. I. 170–1, 181–2). It is simply a lack of familiarity with the ecclesiastical

Great was the disgust of the orthodox when they learned that this pious view of the matter was not entertained in Prague, and it required the most positive assurances of eye-witnesses to make them believe the incredible fact that, from king to peasant in Bohemia, there was practical unanimity in the belief that he who had been condemned and executed as a heretic was a martyr; that the popular songs sung in the streets represented him as one who had shed his blood for Christ, and that he was inserted in the calendar of saints, with his feast on July 6, the day of his execution. The good fathers, however, were not long in finding, from indubitable evidence, that they had made a grave mistake as to the Bohemian temper, and that they had only succeeded in inflaming the disease which they had sought to eradicate. As soon as the defiance excited in Bohemia could be learned in Constance, the council made haste to write, July 26, to the authorities there, protesting that Huss and Jerome of Prague had been treated with all tenderness, that the persistent heresy of the former had forced his delivery to the secular court for judgment, and that all similar heretics would be treated in the same manner. The Bohemians were exhorted to justify, by similar persecution, the good opinion of their orthodoxy which the council had formed from the report of the Bishop of Litomysl, whose popular name of Iron John sufficiently indicates his inflexibility. This good opinion was not sustained when a protest was received from the barons of Bohemia and Moravia, hastily drawn up as soon as the news of the execution had reached them—a protest which the council promptly ordered to be burned. Its letter of July 26 led to the convocation of a national assembly, in which an address was framed and received the signatures of nearly five hundred barons, knights, and gentlemen. In this they asserted their belief in Huss's purity and orthodoxy; that he had unjustly been put to death without confession or lawful conviction; that Jerome they supposed had shared the same fate; that the defamation of the kingdom for heresy was the work of liars, and that any one who

jurisprudence of the Middle Ages that has led historians to regard the cases of Huss and Jerome as exceptional. Even so well informed an authority as Lechler does not hesitate to say "Hussens Verbrennung war, mit dem Massstab des damaligen Rechts gemessen, ein warer Justizmord" (Herzog's Real-Encyklop. VI. 392).

asserted it, saving Sigismund, lied in his throat, was the vilest of traitors and the worst of heretics, and as such they would prosecute him before the future pope. A more dangerous symptom of rebellion was a pledge signed by the magnates, agreeing that all priests should be allowed to preach freely the truths of Scripture, that no bishop should be permitted to interfere with them unless they taught errors, and that no excommunications or interdicts from abroad should be received or observed.*

This was firing at long range with no result but mutual exacerbation, and it was probably the stimulus of Bohemian disaffection which led the council about this time to act vigorously in the case of Jerome of Prague, whom the Bohemian nobles had erroneously believed to have shared the fate of Huss.

Jerome of Prague stands before us as one of those meteoric natures which would be dismissed by the student as half mythical, if the substantial facts which are on record did not fix the details of his career with an exactness leaving no room for doubt. Born at Prague, his early training was received at a time when men's minds were beginning to waver in the confusion of the Great Schism, and under the impulsion of the Wickliffite writings. About the year 1400 he was brought under the influence of Huss, and thereafter he continued to be the steadfast adherent and supporter of the great protestant against the corruptions of the Church. Already, at Paris, Cologne, Heidelberg, and Cracow—at all of which he had been decorated with the honors of the universities—he had disturbed the philosophic calm of the schools with his subtleties on the theory of universals; at Paris, indeed, the disturbance had gone so far that John Gerson, the chancellor of the university, had driven him forth, perhaps retaining a grudge which explains his zeal in the prosecution of his old antagonist. His restless spirit left scarce a region of the known civilized world unvisited. At Oxford, attracted by the reputation of Wickliff, he

* Loserth, Huss u. Wiclif p. 156.—Epistt. lxi., lxii., lxiv. (Monument. I. 77–9, 81).—Von der Hardt IV. 489–90, 494–7.—Palacky Documenta, pp. 580–4, 593–4.—Laur. Byzyn. Diar. Bell. Hussit. (Ludewig VI. 136).

The temper of the Bohemians had been excited, a few days before the burning of Huss, by the news that in Olmütz a student of Prague named John, described as a zealous follower of God, had been, within the short space of twelve hours, arrested, tortured, convicted, and burned.—Palacky Documenta, p. 561.

had copied with his own hand the Dialogus and the Trialogus, and had carried those outpourings of revolt to Prague, where they added fresh fuel to the rapidly rising fires of Bohemian insubordination. On a second visit he had been seized as a heretic, and had escaped through the intervention of the University of Prague. In Palestine he had trodden in the footsteps of the Saviour and had bent in reverence at the Holy Sepulchre. In Lithuania he had sought to convert the heathen. In Russia he had endeavored to win over the schismatic Greek. In Poland and Hungary he had scattered the doctrines of Wickliff and Huss. Driven out of Hungary, in 1410, he was arrested and thrown in prison in Vienna, by the papal inquisitor and episcopal official, for teaching Hussitism and infecting with it the university of that city. His trial was commenced and a day was set for its hearing, prior to which he was allowed his liberty on his oath not to leave the city, under pain of excommunication. Claiming that an extorted oath was of no force, he escaped, and from Olmütz wrote a free-and-easy letter to the Bishop of Passau, suggesting that the prosecutors and witnesses may be sent to Prague, where the trial can be finished. The excommunication, indeed, followed him to Prague, but in the tumultuous condition of Bohemia it gave him no trouble, though the University of Vienna wrote to the University of Prague that by remaining more than a year under the excommunication he had incurred the guilt of heresy, for which he ought to be condemned; and meanwhile the converts whom he had made in Vienna continued to give occupation to the Inquisition, and the university which interfered in their behalf incurred the suspicion of heresy. In the stirring events which followed, his restless and aggressive spirit would not allow him to be inactive, and the popular impression of his reckless audacity is shown in the story of his hanging the papal bulls of indulgence around the neck of a strumpet and carrying her to the place where they were to be burned. In 1413 he again visited Poland, where in a short time he succeeded in causing an unprecedented excitement, and was speedily sent back to Prague. His whole life had been spent in intellectual digladiation, from his youthful philosophic contests to the maturer struggles with the overwhelming forces of the hierarchy. A layman, not in holy orders and unfurnished with priestly gown and tonsure, he had preached to admiring crowds

of Majjars, Poles, and Czechs; nor was he wholly unskilled in the use of the arms of the flesh. On his trial he admitted that he had once been drawn into a quarrel with some monks in a monastery, when two of them attacked him with swords, and he defended himself successfully with a weapon hastily snatched from the hand of a bystander. His enemies, indeed, accused him of having, on another occasion, drawn a dagger on a Dominican friar, and of having been only prevented by force from stabbing him to the death. All of his contemporaries bear testimony to his wonderful powers. His commanding presence, his glittering eyes, his sable hair and flowing beard, his deep and impressive voice, his persuasive accents, enabled him to throw his influence over all with whom he came in contact; while his miraculous stores of learning, his unmatched readiness, and the subtlety of his intellect, rendered him an enemy of the Church only one degree less dangerous than the steadfast and irreproachable Huss.*

Jerome had watched from Prague the fate of his friend with daily increasing anxiety, and when the rupture between pope and council seemed to promise immunity for the opponents of hierarchical corruption he could not resist the temptation to aid in his rescue, and to assist in what appeared to be the approaching overthrow of the evils which he had so long combated. April 4, 1415, he came secretly to Constance, but speedily found how groundless were his hopes and how dangerous was the atmosphere of the place. Christann of Prachaticz, one of Huss's chief disciples had recently ventured to visit Constance, had been arrested, and articles of accusation had been presented against him, when on the intervention of the Bohemian ambassadors he had been liberated under oath to present himself when summoned—an oath which he had forfeited by promptly escaping to Bohemia. Jerome contented himself with posting a notice on the walls affirming the orthodoxy of Huss; he withdrew at once to Ueberlingen and asked for a safe-conduct. The response was ambiguous, but, like a moth hovering around the fatal candle-flame, he returned to Constance, where, April 7, he affixed another notice on the church

* Von der Hardt IV. 634–91, 756.—Palacky Documenta, pp. 63, 336–7, 408–9, 417–20, 506, 572.—Loserth, Mittheilungen des Vereins für Gesch. der Deutschen in Böhmen, 1885, pp. 108–9.—Schrödl, Passavia Sacra, pp. 284–5.

doors addressed to Sigismund and the council. It stated that he had come of his own free will to answer all accusations of heresy, and if convicted he was ready to endure the penalty, but he asked a safe-conduct in coming and going, and if incarcerated or treated with violence during his stay the council would be committing injustice of which he could not suspect so many learned and wise men. This senseless bravado is only to be explained by his erratic temperament, and it did not prevent him from taking precautions as to his safety. He suddenly changed his mind, and on April 9, after obtaining from the Bohemians at Constance testimonial letters, he escaped from the city, none too soon, for the officials were in search of his lodgings, which they discovered a few days after at the Gutjar, in St. Paul Street, where in his haste he had left behind him the significant memento of a sword. This time he no longer trifled with fate, but travelled rapidly towards Bohemia. At Hirsau, however, his impetuous temper led him into a discussion in which he stigmatized the council as a synagogue of Satan. He was seized April 24, and the papers found upon him betrayed him. John of Bavaria threw him into the castle of Sulzbach, notified the council of his capture, and in obedience to its commands he was forthwith carried thither in chains.*

Meanwhile the council had responded to his appeal by publishing, April 18, a formal inquisitorial citation summoning him, as a suspected and defamed heretic, the suppression of whom was its chief duty, to appear for trial within fifteen days, in default of which he would be proceeded against in contumacy. A safe-conduct was offered him, but it was expressly declared subject to the exigencies of the faith. Unaware of his capture, on May 2 a new citation was published and his trial as contumacious was ordered, and this was repeated on the 4th. On May 24 his captors brought him to the city loaded with chains, and took him to the Franciscan convent, where a tumultuous congregation of the council greeted his arrival. Here Gerson gratified his rancor against his old opponent, loudly berating him for having taught falsely at Paris, Heidelberg, and Cologne, and the rectors of the two latter

* Von der Hardt IV. 103–5, 134*bis*.—Palacky Documenta, p. 541–2.—Richentals Cronik, p. 78.—Laur. Byzyn. Diar. Bell. Hussit. ann. 1415 (Ludewig VI. 132).

universities corroborated the accusations. His replies were sharp and ready, but were drowned in the roar of fresh charges, mingled with shouts of "Burn him! Burn him!" Thence he was carried to a dungeon in the Cemetery of St. Paul, where he was chained hand and foot to a bench too high for him to sit on, and for two days he was fed on bread and water, until his friends ascertained his place of imprisonment and made interest with the jailer to give him better food. He soon fell dangerously sick and asked for a confessor, after which he was less rigorously fettered, but he never left the prison except for audience and execution.*

Stephen Palecz, Michael de Causis, and the rest were ready with their accusations, nor could there be difficulty in accumulating a mass of testimony sufficient to convict twenty such men as Jerome. His trial proceeded according to the regular inquisitorial process, the commissioners finding him much more learned and skilful than Huss; but, brilliant as was his defence when under examination, his nervous temperament unfitted him to bear, like Huss, the long protracted agony. Sometimes with dialectic subtlety he turned his examiners to ridicule, at others he vacillated between obduracy and submission. Finally he weakened under the strain, while the rebellious attitude of the Bohemians doubtless led the council to increase the pressure. On September 11 he was brought before the assembly, where he read a long and elaborate recantation. Huss's sweetness of temper, he said, had attracted him, and his earnest exposition of Scripture truths had led him to believe that such a man could not teach heresy. He could not believe that the thirty articles condemned by the council were really Huss's, until he had obtained a book in Huss's own handwriting, and on comparing them article by article he found them to be so. He therefore spontaneously and of free will condemned them, some of them as heretical, others as erroneous, others as scandalous. He also condemned the forty-five articles of Wickliff; he submitted himself wholly to the council, he condemned whatever it condemned, and he asked for fitting penance to be assigned him. He did not even shrink from a deeper degradation. He wrote to Bohemia that Huss had been justly executed, that he

* Von der Hardt IV. 119, 134, 139, 142, 148–9, 216–18.

had become convinced of his friend's errors and could not defend them.*

This was not a strictly formal abjuration such as was customarily required of prisoners of the Inquisition, yet it might have sufficed. It was read before a private congregation of the council, and some more public humiliation was needed. At the next general session, therefore, September 23, Jerome was placed in the pulpit, where he repeated his recantation, with an explanation of an expression in it, adding a recantation of his theory of Universals, and winding up by a solemn oath of abjuration in which he invoked an eternal anathema on all who wandered from the faith and on himself if he should do so. He had been told that he would not be allowed to return to Bohemia, but might select some Swabian monastery in which to reside, on condition that he should write home, over his hand and seal, that his teaching and that of Huss were false and not to be followed. This he promised to do, as, indeed, he had already done, but he was remanded to his prison, though his treatment was somewhat less harsh than before.†

Had the council been wise, it would have treated him as leniently as possible. A dishonored apostate, his power of evil was gone, and generosity would have been policy. The canons, however, prescribed harsh prison for converted heretics, whose conversion was always regarded as doubtful, and the assembled fathers were too bigoted to be wise. The zealots converted the apostate to a martyr, whose steadfast constancy redeemed his temporary weakness, and regained for him the forfeited influence over the imagination of his disciples.

His remorse was not long in showing itself. Stephen Palecz, Michael de Causis, and his other enemies who were still hovering around his prison, soon got wind of his self-accusation. John

* Richentals Cronik p. 79.—Theod. Vrie Hist. Concil. Constant. Lib. VI. Dist. 12.—Theod. a Niem de Vita Joann. PP. XXIII. Lib. III. c. 8.—Palacky Documenta, pp. 596–9.

† Von der Hardt IV. 501–7.—Richentals Cronik p. 79.—In the final official articles drawn up against Jerome by the *Promotor Hæreticæ Pravitatis*, his absolute refusal to write to Bohemia, after promising to do so, is made a special point of accusation. Yet his letter to that effect, of September 12, is still on record, and in his last defiant address to the council he speaks of having written it under fear of burning, and now desires to withdraw it (V. d. Hardt IV. 688, 761).

Gerson, whose hostility seems to have been insatiable, readily made himself their mouthpiece, and in a learned dissertation on the essentials of revocations called the attention of the council, October 29, to the unsatisfactory character of that of Jerome. Some Carmelites, apparently arriving from Prague, furnished new accusations, and demands were made that he be required to answer additional articles. Some of the Cardinals, Zabarella, Pierre d'Ailly, Giordano Orsini, Antonio da Aquileia, on the other hand, labored with the council to procure his liberation, but on being actively opposed by the Germans and Bohemians and accused of receiving bribes from the heretics and King Wenceslas, they abandoned the hopeless defence. Accordingly, February 24, 1416, a new commission was appointed to hold an inquisition on him. The whole ground was gone over again in examining him, from the Wickliffite heresies to his exciting rebellion in Prague and contumaciously enduring the excommunication incurred in Vienna. April 27 the commissioners made their report, and the *Promotor Hæreticæ Pravitatis*, or prosecutor for heresy, accompanied it with a long indictment enumerating his offences. Jerome, resolved on death, had recovered his audacity; he not only, in spite of his recantation, denied that he was a heretic, but complained of unjust imprisonment and claimed to be indemnified for expenses and damages. His marvellous dialectical dexterity had evidently nonplussed the slower intellects of his examiners, who had found themselves unable to cope with his subtlety, for the council was asked, in conclusion, to diminish the diet on which he was described as feasting gluttonously, and by judicious starvation, the proper torment of heretics, to bring him to submission. Moreover, authority was asked to use torture and to force him to answer definitely yes or no to all questions as to his belief. If then he continues contumaciously to deny what has been or may be proved against him, he is to be handed over to the secular arm, in accordance with the canon law, as a pertinacious and incorrigible heretic. Thus with Jerome, as with Huss, the invariable principle of inquisitorial procedure was applied, that the denial of heretical opinions was simply an evidence and an aggravation of guilt.*

* Von der Hardt III. iv. 39; IV. 634–91.—Laur. Byzyn. Diar. Bell. Hussit (Ludewig VI. 137–8).

In this case, more than in that of Huss, the council seems to have taken upon itself the part of an inquisitorial tribunal, with its commissioners simply as examiners to take testimony, possibly because Jerome had refused to accept them as judges on account of enmity towards him. There is no evidence that it consented to the superfluous infamy of torturing, or even of starving its victim. The commissioners were left to their own devices as to extracting a confession, and May 9 they made another report of the whole case from beginning to end, for what object is not apparent, unless to demonstrate their helplessness. Having thus wearied them out, Jerome finally promised to answer categorically before the council. Perhaps it was curiosity to hear him, perhaps the precedent set in the case of Huss weighed with the fathers. The concession was made to him, and at a general session held May 23 he was brought in and the oath was offered to him. He refused to take it, saying that he would do so if he would be allowed to speak freely, but if he was only to say yes or no he would not. As the articles were read over he remained silent as to a portion, while to the rest he answered affirmatively or negatively, occasionally making a distinction, and answering with admirable readiness the clamors and interruptions which assailed him from all sides. The day wore away in this, and the completion of the hearing was adjourned till the 26th. Again the same scene occurred till the series of articles was exhausted, when the chief of the commissioners, John, Patriarch of Constantinople, summed up, saying that Jerome was convicted of fourfold heresy; but as he had repeatedly asked to be heard he should be allowed to speak, in order to silence absurd reflections on the council; moreover, if he was prepared to confess and repent, he still would be received to mercy, but if obdurate, justice must take its course.*

Of the scene which followed we have a vivid account in a letter to Leonardo Aretino from Poggio Bracciolini, who attended the council as apostolic secretary. Poggio had already been profoundly impressed with the quickness and readiness of a man who for three hundred and forty days had lain in the filth and squalor of a noisome dungeon, but now he breaks forth in unqualified admiration—"He stood fearless, undaunted, not merely despising

* Von der Hardt IV. 690–1, 732–33, 748–56.

death, but longing for it, like another Cato. O man worthy of eternal remembrance among men! If he held beliefs contrary to the rules of the Church I do not praise him, but I admire his learning, his knowledge of so many things, his eloquence, and the subtlety of his answers." In the midst of that turbulent and noisy crowd, his eloquence was so great that Poggio evidently thinks he would have been acquitted had he not courted death.*

His address was a most skilful vindication, gliding with seemingly careless negligence over the dangerous spots in his career—for his whole life had been made the subject of indictment—and giving most plausible explanations of that which could not be suppressed, as though the Bohemian troubles had been solely due to political differences. As for his recantation, his judges had promised him kindly treatment if he would throw himself on the mercy of the council. He was but a man, with a human dread of a dreadful death by fire; he had weakly yielded to persuasion, he had abjured, he had written to Bohemia as required, he had condemned the teaching of John Huss. Here he rose to the full height of his manly and self-devoted eloquence. Huss was a just and holy man, to whom he would cleave to the last; no sin that he had ever committed so weighed upon his conscience as his cowardly abjuration, which now he solemnly revoked. Wickliff had written with a profounder truth than any man before him, and dread of the stake alone could have induced him to condemn such a master, saving only the doctrine on the sacrament, of which he could not approve. Then he burst forth into a ringing invective on the vices of the clergy, and especially of the Roman curia, which had stimulated Wickliff and Huss to their efforts for reform. The good fathers of the council might be stunned for a moment by the fierce self-sacrifice of the man who thus deliberately threw away his life, but they soon recovered themselves, and quietly assigned the following Saturday for his definite sentence. Although, as a self-confessed relapsed, he was entitled to no further consideration, they proposed, with unusual mercy, to give him four days to reconsider and repent, but he had been addressing an audience far beyond the narrow walls of the Cathedral of Constance, and his words were seeds which sprouted forth in armed warriors.†

On May 30 the final acts of the tragedy were hurried through;

* Von der Hardt III. 64–9. † Ibid. IV. 754–62.

the council assembled early, and by ten o'clock Jerome was at the stake. After the mass, the Bishop of Lodi preached a sermon. He had been selected to perform the same office at the condemnation of Huss, and the brutality of his triumph over the unfortunate prisoner on this occasion even exceeded his former effort. The charity and tenderness with which Jerome had been treated ought to have softened his heart, even had the recollection of his crimes failed to do so. A comparison was drawn between the favor shown him and the severity customary with suspected heretics. "You were not tortured—I wish you had been, for it would have forced you to vomit forth all your errors; such treatment would have opened your eyes, which guilt had closed." The nobles present were called upon to mark how Huss and Jerome, two base-born men, plebeians of the lowest rank and unknown origin, had dared to trouble the noble kingdom of Bohemia, and what evils had sprung from the presumption of those two peasants. Then Jerome in a few dignified sentences replied, asserting his conscientiousness and deploring his condemnation of Wickliff and Huss. Cardinal Zabarella, he said, was winning him over when his judges were changed and he would not plead to new ones. His abjuration was read to him; he acknowledged it; he said it had been extorted by the dread of fire. Then the prosecutor asked for a definite sentence in writing against him, and the head commissioner, John of Constantinople, read a long one condemning him as a supporter of Wickliff and Huss, and ending with the declaration that he was a relapsed heretic and anathematized excommunicate. To this the council unanimously responded "*Placet.*" There was no pretence of asking mercy for him. He was handed over to the secular power with a command that it should do its duty under the sentence rendered. Not being in orders, there was no ceremony of degradation to be performed, but a tall paper crown with painted devils was brought. He tossed his cap among the prelates and put on the crown, saying, "Our Lord Jesus Christ, when about to die for me, wore a crown of thorns. In place of that, I gladly bear this for his sake," and with this he was hurried off to execution on the same spot where Huss had suffered.*

* Von der Hardt III. 55–60; IV. 763–71.—Theod. Vrie Hist. Conc. Constant. Lib. VII. Dist. 4.

The details of the execution were much the same, except that Jerome was stripped and a cloth tied around his loins. He sang the Creed and a litany, and when his voice could no longer be heard in the flames his lips were still seen to move as though praying to himself; after his beard was burned off, a blister the size of an egg was seen to form itself, showing that he still was alive, and his agony was unusually prolonged, through his extraordinary strength and vitality. One eye-witness says that he shrieked awfully, but other unfriendly witnesses declare that he continued praying till his voice was checked by the fire, and Poggio, who was present, was much impressed with his cheerful courage to the last. When bound to the stake, the executioner offered to light the fire from behind, where he could not see it, but he refused: "Come forward," he said, "and light the fire where I can see it. Had I feared this, I would not have been here." Æneas Sylvius likewise couples him with Huss for the unsurpassed constancy of his death. After it was over, his bedding, shoes, cap, and all his personal effects were brought from his dungeon and thrown upon the pile, that no relic of him might be left, and the ashes were cast into the Rhine.*

It only remained to secure the submission of John of Chlum, the courageous defender of Huss. He had remained in Constance and was in the power of the council. What means were adopted for his abasement do not appear, but, on July 1, he swore to maintain the faith, admitted that Huss and Jerome had suffered justly, and desired letters of his declaration to be made, that he might send them to Bohemia.†

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* Von der Hardt III. 64–71; IV. 771–2.—Richentals Cronik p. 83.—Theod. Vrie Hist. Conc. Constant. Lib. VIII. Dist. 3.—Laur. Byzyn. Diar. Bell. Hussit. (Ludewig VI. 141).—Æn. Sylvii Hist. Bohem. c. 36.

† Chron. Glassberger ann. 1416.

CHAPTER VIII.

THE HUSSITES.

THE Council of Constance, after eighteen months of labor, had disposed of Huss and Jerome. The methods employed had been the only ones known to the Church, the only ones possible to the council. Two centuries earlier the corruptions of the Church were recognized as the cause and excuse of the revolt of the Albigenses and Waldenses, but the revolt was ruthlessly put down without an effective effort to remove the cause. Now again unchecked corruption had produced another revolt and the same policy was followed—to leave untouched the profitable abuses and punish those who refused to tolerate them, and who rejected the principles out of which such abuses inevitably sprang. The council could do no otherwise; the traditions of procedure established in the subjugation of the Albigenses and the succeeding heresies furnished the only precedent and machinery through which it could act. Again a religious revolt had been provoked, and again that revolt was nursed and intensified till its only recognized cure lay in the sword of the crusader.

The prelates and doctors assembled in Constance could not hesitate for a moment as to their duty. Canon law and inquisitorial practice had long established the principle that the only way to meet heresy—and opposition to the constituted authorities of the Church was heresy—was by force, as soon as argument was found ineffective. The disobedient son of the Church who would not submit was to be cast out, after due admonition, and casting out meant that he should have in this world a wholesome foretaste of the wrath to come, in order to serve as an edifying example. Accordingly the council addressed itself, as a matter of course, to the task of widening the breach with Bohemia, of consolidating and intensifying the indignation caused by the execution of Huss and Jerome, and to stigmatizing as

heresy the belief which was now professed by the majority of Bohemians.

The council had proposed to follow up the execution of Huss by an immediate application of inquisitorial methods to the whole Bohemian kingdom, but, at the instance of John, Bishop of Litomysl, it had commenced by the expedient of giving notice in its letter of July 26, 1415. This, as we have seen, only added to the exasperation of Bohemia, and on August 31 it issued to Bishop John letters commissioning him with inquisitorial powers to suppress all heresy in Bohemia; if he could not perform his office in safety elsewhere he was authorized to summon all suspect to his episcopal seat at Litomysl. Wenceslas dutifully issued to him a safe-conduct, but the irate Bohemians were already ravaging his territories, and he consulted prudence in not venturing his person there. The canons evidently could not be enforced amid a people so exasperated; so, on September 23, after listening to the recantation of Jerome, the council tried a further expedient, by a decree appointing John, Patriarch of Constantinople, and John, Bishop of Senlis, as commissioners (or, rather, inquisitors) to try all Hussite heretics. They were empowered to summon all heretics or suspects to appear before them in the Roman curia by public edict, to be posted in the places frequented by such heretics, or in the neighboring territories if it were dangerous to attempt it at the residences of the accused, and such edicts might be either general in character or special. This was strictly according to rule, and if the object had been to secure the legal condemnation *in absentia* of the mass of the Bohemian nation, it was well adapted for the purpose; but as the nation was seething in revolt, and was venerating Huss and Jerome with as much ardor as was shown in Rome to St. Peter and St. Paul, its only effect was to strengthen the hands of the extremists. This was seen when, on December 30, 1415, an address was delivered to the council, signed by four hundred and fifty Bohemian nobles, reiterating their complaints of the execution of Huss, and withdrawing themselves from all obedience. This hardy challenge was accepted February 20, 1416, by citing all the signers and other supporters of Huss and Wickliff to appear before the council within fifty days and answer to the charge of heresy, in default of which they were to be proceeded against as contumacious. As it was not safe to serve this

citation on them personally, or, indeed, anywhere in Bohemia, it was ordered to be affixed on the church doors at Constance, Ratisbon, Vienna, and Passau. This was followed up with all the legal forms; the citations were affixed to the church doors, and record made in Constance May 5, in Passau May 3, in Vienna May 10, and in Ratisbon June 14, 21, and 24. On June 3 the offenders were declared to be in contumacy, and on September 4 the further prosecution of the matter was intrusted to John of Constantinople.*

Here the affair seems to have dropped, for it had long been evident that the inquisitorial methods were of no avail when the accused constituted the great body of a nation. As early as March 27, 1416, the council had, without waiting to see the result of its judicial proceedings, resolved to appeal to force, if yet there was sufficient zeal for orthodoxy in Bohemia to render such appeal successful. The fanatic John of Litomysl was armed with legatine powers, and despatched with letters to the lords of Hazemburg, John of Michaelsburg, and other barons known as opponents of the popular cause. The council recited in moving terms its patience and tenderness in dealing with Huss, who had perished merely through his own hardness of heart. In spite of this, his followers had addressed to the council libellous and defamatory letters, affording a spectacle at once horrible and ludicrous. Heresy is constantly spreading and contaminating the land, priests and monks are despoiled, expelled, beaten, and slain. The barons are therefore summoned, in conjunction with the legate, to banish and exterminate all these persecutors, regardless of friendship and kinship. Bishop John's mission was a failure, in spite of letters written by Sigismund, March 21 and 30, in which he thanked the Catholic nobles for their devotion, and warned the Hussite magnates that, if they persisted, Christendom would be banded against them in a crusade. The University of Prague responded, May 23, with a public declaration, certifying to the unblemished orthodoxy and supereminent merits of Huss. His whole life spent among them had been without a flaw; his learning and eloquence had

* Palacky Documenta, pp. 566-7, 572-9, 602-3.—Von der Hardt IV. 528, 609-12, 724, 781-2, 823-40.—Æn. Sylvii. Hist. Bohem. c. 35.—Theod. a Niem Vit. Joann. PP. XXIII. Lib. III. c. 12.

been equalled by his charity and humility; he was in all things a man of surpassing sanctity, who sought to restore the Church to its primitive virtue and simplicity. Jerome, also, whom the university seems to have supposed already executed, was similarly lauded for his learning and strict Catholic orthodoxy, and was declared to have in death triumphed gloriously over his enemies. In this the university represented with moderation the prevailing opinion in Bohemia. The more earnest disciples did not hesitate to declare that the Passion of Christ was the only martyrdom fit to be compared with that of Huss.*

There was evidently no middle term which could reconcile conflicting opinions so firmly entertained; and, as the Catholic nobles of Bohemia could not be stimulated to undertake a devastating civil war, the council naturally turned to Sigismund. In December, 1416, a doleful epistle was addressed to him, complaining that the execution of Huss and Jerome, in place of repressing heresy, had rendered it more violent than ever. As though men condemned to Satan by the Church were the chosen of God, the two heretics were venerated as saints and martyrs, their pictures shrined in the churches, and their names invoked in masses. The faithful clergy were driven out, and their lot rendered more miserable than that of Jews. The barons and nobles refuse obedience to the mandates of the council, and will not allow them to be published. Communion in both elements is taught to be necessary to salvation, and is everywhere practised. Sigismund is therefore requested to do his duty, and reduce by force these rebellious heretics. Sigismund replied that he had forwarded the document to Wenceslas, and that if the latter had not power to suppress the heretics he would assist him with all his force. Sigismund was in no position to undertake the task, but after waiting for nine months he saw an opportunity of attacking his brother, who had been utterly powerless to control the storm. In a circular letter of September 3, 1417, addressed to the faithful in Bohemia, he drew a moving picture of the excesses committed on the Bohemian clergy, compelled by Neronian tortures to abjure their faith. His

* Epistt. lxiii., lxv. (Jo. Hus Monument. I. 79–80, 82).—Palacky Documenta, pp. 611–14, 621.—Ludewig Rel. MSS. VI. 69.—Stephani Cartus. Epist. ad Hussitas P. I. c. 5 (Pez Thesaur. Anecd. IV. II. 521).

brother was suspected of favoring the heretics, as no one could conceive that such wickedness could be committed under so powerful a king without his connivance, and the council had decided to proceed against him, but had consented to delay at the instance of Sigismund, who for three years had been strenuously endeavoring to avert the prosecution. He warns every one, in conclusion, not to aid the heresy, but to exert themselves for its suppression.*

Shortly after this, November 11, 1417, the weary schism was closed by the election to the papacy of Martin V. Under the impulsion of a capable and resolute pontiff, who, as Cardinal Ottone Colonna, had, in 1411, condemned and excommunicated Huss, the reunited Church pressed eagerly forward to render the conflict inevitable. In February, 1418, the council published a series of twenty-four articles as its ultimatum. King Wenceslas must swear to suppress the heresy of Wickliff and Huss. Minute directions were given to restore the old order of things throughout Bohemia; priests and Catholics who had been driven out were to be reinstated and compensated; image and relic worship to be resumed, and the rites of the Church observed. All infected with heresy were to abjure it, while their leading doctors, John Jessenitz, Jacobel of Mies, Simon of Rokyzana, and six others, were to betake themselves to Rome for trial. Communion in both elements was to be specially abjured, and all who held the doctrines of Wickliff and Huss, or regarded Huss and Jerome as holy men, were to be burned as relapsed heretics; that is, without opportunity of recantation or hope of pardon. Finally, every one was required to lend assistance to the episcopal officials when called upon, under pain of punishment as fautors of heresy. It was simply the application of existing laws, as we have so many times already seen them brought to bear on offending communities. To enforce it, Sigismund promised to visit the rebellious region with four bishops and an inquisitor, and to burn all who would not recant.†

This was speedily followed, February 22, 1418, by a bull of

* Von der Hardt IV. 1077–82, 1410–13. — Palacky Documenta, pp. 652–4. Doubtless there was much ill-treatment of such of the clergy as remained faithful to Rome. In 1417 Stephen of Olmütz complains that they were driven from their benefices, beaten, and slain.—Steph. Cartus. Epist. ad Hussit. P. I. c. 3 (Pez Thesaur. Anecd. IV. II. 517).

† Von der Hardt IV. 1514–18.—Palacky Documenta, pp. 676–77.

Martin V., addressed to the prelates and inquisitors, not only of Bohemia and Moravia, but of the surrounding territories, Passau, Salzburg, Ratisbon, Bamberg, Misnia, Silesia, and Poland. The pope expressed his grief and surprise that the heretics had not been brought to repentance by the miserable deaths of Huss and Jerome, but had been excited by the devil to yet greater sins. The prelates and inquisitors were ordered to track them out and deliver them to the secular arm; and such as proved themselves remiss in the work were to be removed, and replaced with more energetic successors. Secular potentates were commanded to seize and hold in chains all heretics, and to punish them duly when convicted, and a long series of instructions was given as to trials, penalties, and confiscations, in strict accordance with the inquisitorial practice which had so long been current. If this was intended to give countenance to Sigismund's promised expedition it proved useless, for the royal promise ended as Sigismund's were wont to do, and the next we hear of him is a letter of December, 1418, to Wenceslas, threatening that unlucky monarch with a crusade if he shall not suppress heresy.*

The glimpse into the condition of Bohemia afforded by these documents is, perhaps, somewhat highly colored, yet on the whole not incorrect. The kingdom was almost wholly withdrawn from obedience to the Church, although the German miners in the mountains of Kuttenberg were already slaying the native heretics. The Wickliffite doctrines adopted by Huss were triumphant, and the pressure of central authority being removed, men were naturally using the unaccustomed liberty to develop further and further the ruling hostility to the sacerdotal system. Utraquism, or communion in both elements, had been received with a frenzy of welcome which seems almost inexplicable; it aroused universal enthusiasm, which was only stimulated by the interdict pronounced on it by Archbishop Conrad, November 1, 1415, and repeated February 1, 1416. When, in 1417, the University of Prague issued a solemn declaration in its favor and pronounced void any human ordinance modifying the command of Christ and the custom of the early Church, it speedily became the distinguishing mark which separated the Hussite from the Catholic. Other innovations had

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Von der Hardt IV. 1518–31.—Palacky pp 684–6.

already been introduced, and it was impossible that all should agree on the bounds to be set between conservatism and progress. As early as 1416 Christann of Prachatitz remonstrated with Wenceslas Coranda for denying purgatory and the utility of prayers for the dead and the suffrages of saints, for refusing adoration to the Virgin, for casting out relics and images, for administering the Eucharist to newly-baptized infants, for discarding all rites and ceremonies, and reducing the Church to the simplicity of primitive times. Others taught that divine service could be celebrated anywhere as well as in consecrated churches; that baptism could be performed by laymen in ponds and running streams. Already there was forming the sect which, in carrying out the views of Wickliff, came to be known as Taborites. The more conservative element, which adopted the name of Calixtins, or Utraquists, satisfied with what had been acquired, endeavored to set bounds to the zeal which threatened to remove all the ancient landmarks. Parties were beginning to range themselves, and on January 25, 1417, probably not long before its declaration in favor of Utraquism, the University issued a letter reciting that there were frequent disputes as to the existence of purgatory and the use of benedictions and other church observances; to put an end to these it pronounced obligatory on all to believe in purgatory and in the utility of suffrages, prayers, and alms for the dead, of images of Christ and the saints, of incensing, aspersions, bell-ringing, the kiss of peace, of benediction of the holy font, salt, water, wax, fire, palms, eggs, cheese, and other eatables. Any one teaching otherwise was not to be listened to until he should prove the truth of his doctrine to the satisfaction of the University. In September, 1418, it was obliged to renew the declaration, with the addition of condemning the doctrines which pronounced against all oaths, judicial executions, and sacraments administered by sinful priests, showing that Waldensian tenets were making rapid progress among the Taborites.*

All this indicates the questions which were occupying men's minds and the differences which were establishing themselves.

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* Palacky Documenta, pp. 631–2, 633–8, 654–6, 679.—Laur. Byzyn. Diar. Bell. Hussit. (Ludewig VI. 138–9).—Jo. Hus Monument. II. 364.—Ægid. Carlerii Lib. de Legation. (Monument Concil. General. Sæc. XV. T. I. pp. 385–6).

Opinions were too strongly held, and mutual toleration was too little understood for peaceful discussion, and excitement daily grew higher, leading to tumults and bloodshed. In the spirit of unrest which was abroad, men and women of the more advanced views from all parts of the kingdom began assembling on a mountain near Bechin, to which they gave the name of Tabor, where they received the sacrament in both kinds. These assemblages were larger on feast days, and on the day of Mary Magdalen, July 22, 1419, the multitude was computed at forty thousand. Numbers gave courage, and there was even talk of deposing King Wenceslas and replacing him with Nicholas Lord of Hussinetz, whose popularity had been increased by his banishment for advocating their cause with the monarch. From this they were dissuaded by their chief spiritual leader, the priest Wenceslas Coranda, who pointed out that as the king was an indolent drunkard, permitting them to do what they liked, they would scarce benefit themselves by a change. The abandonment of this project, however, did not assure peace. On July 30 there was a tumult in the Neustadt of Prague; at command of the king, the authorities endeavored to prevent the progress of a procession bearing the sacrament; the people rose, and under the lead of John Ziska, whose fiery zeal and cool audacity were rapidly bringing him to the front, they rushed into the town-hall and cast out of the windows such of the magistrates as they found there, who were promptly slain by the mob below. The agitation and alarm caused by this affair brought on King Wenceslas an attack of paralysis, of which he died August 15.*

Feeble as had been the royal authority, it yet had served as a restraint upon the hostile sects eager to tear each other to pieces. With the death of the king the untamable passions burst forth. Two days afterwards the churches and convents were mobbed, the images and organs were broken, and those in which the cup had been refused to the laity were the objects of special vengeance. Priests and monks were taken prisoners, and within a few days the Dominican and Carthusian convents were burned. Queen Sophia endeavored, in vain, to maintain order with such of the

* Laur. Byzyn. Diar. Bell. Hussit. (Ludewig VI. pp. 142–44).—Æn. Sylvii Hist. Bohem. c. 36, 37.

barons as remained loyal; civil war broke forth, until, on November 13, the queen concluded with the cities of Prague a truce to last until April 23, 1420, the queen promising to maintain the law of God and communion in both elements, while the citizens pledged themselves to refrain from image-breaking and the destruction of convents. Mutual exasperation, however, was too great to be restrained. Ziska came to Prague and destroyed churches and monasteries in the city and neighborhood; Queen Sophia laid siege to Pilsen; a neighborhood war broke out in which shocking cruelties were perpetrated on both sides; German miners of Caurzim and Kuttenberg threw into abandoned mines all the Calixtins on whom they could lay their hands, and some Bavarians who were coming to the assistance of Rackzo of Ryzmberg tied to a tree and burned the priest Naakvasa, a zealous Calixtin. Ziska was not behindhand in this, and in burning convents not infrequently allowed the monks to share the fate of their buildings. In the desultory war which raged everywhere both sides cut off the hands and feet of prisoners.*

Sigismund was now the lawful King of Bohemia, and he came to claim his inheritance. As a preliminary step he sent envoys to Prague offering to leave the use of the cup as it had been under Wenceslas, to call a general assembly of the nation, and after consultation to refer any questions to the Holy See. A meeting of the barons and clergy was held which agreed to accept the terms. On Christmas Day, 1419, he came to Brünn, and thither flocked the magnates and representatives of the cities to tender their allegiance. The envoys of Prague, it is true, persisted in using the cup, and there was an interdict in consequence placed on Brünn during their stay, but when he ordered them to remove the chains from the streets of Prague, and destroy the fortifications which they had raised against the castle, there was no refusal, and on their return, January 3, 1420, his commands were obeyed. His natural faithlessness soon showed itself. He changed all the castellans and officials who were favorable to the Hussites; the Catholics who had fled or been expelled returned and commenced to triumph over their enemies; and a royal edict was issued, in obe-

* Laur. Byzyn. Diar. Bell. Hussit. (Ludewig VI. 145–52, 154–56).—Hist. Persecut. Eccles. Bohem. pp. 37–8.—Camerarii Hist. Frat. Orthod. p. 49.

dience to the decrees of Constance, commanding all those in authority to exterminate the Wickliffites and Hussites and those who used the sacramental cup. Still, the kingdom made no sign of organized opposition to him, except that the provident Ziska and his followers, seeing the wrath to come, diligently set to work to fortify Mount Tabor. Strong by nature, it soon was made virtually impregnable, and for a generation it remained the stronghold of the extremists who became renowned throughout the world as Taborites. Mostly peasant-folk, they showed to the chivalry of Europe what could be done by freemen, animated by religious zeal and race hatred; their rustic wagons made a rampart which the most valiant knights learned not to assail; armed sometimes only with iron-shod flails, the hardy zealots did not hesitate to throw themselves upon the best-appointed troops, and often bore them down with the sheer weight of the attack. Wild and undisciplined, they were often cruel, but their fanatic courage rendered them a terror to all Germany.*

Nothing, probably, could have averted an eventual explosion; but, for the moment, it seemed that Sigismund was about to enter on peaceable possession of his kingdom, and any subsequent rebellion would have been attempted under great disadvantages. Suddenly, however, an act of inconsiderate and gratuitous fanaticism set all Bohemia aflame. Some trouble in Silesia had called Sigismund to Breslau, where he was joined by a papal legate armed by Martin V. with power to proclaim a crusade with Holy Land indulgences. John Krasa, a merchant of Prague, who chanced to be there, talked over boldly about the innocence of Huss; he was arrested, persisted in his faith, and was condemned by the legate and prelates who were with Sigismund to be dragged by the heels at a horse's tail to the place of execution and burned. While lying in prison he was joined by Nicholas of Bethlehem, a student of Prague, who had been sent by the city to Sigismund to offer to receive him if he would not interfere with the use of the cup to the laity. In place of listening to him he was tried as a heretic and thrown into prison to await the result. Krasa encouraged him to endure to the last, and both were brought forth on March

* Ægid. Carlerii Lib. de Legation. (Mon. Concil. General. Sæc. XV. T. I. p. 387).—Laur. Byzyn. Diar. Bell. Hussit. (Ludewig VI. 152-4, 157-8, 168, 172).

15, 1420, to undergo the punishment. As the feet of Nicholas were about to be attached to the horse, his courage gave way and he recanted. Krasa was undaunted; the legate followed him, as he was dragged to the place of execution, exhorting him to repent, but in vain; he was attached half-dead to the stake and duly burned. Two days later, March 17, the legate proclaimed the crusade. The die was cast; the Church so willed it, and a new Albigensian war was inevitable.*

There was wavering no longer in Bohemia. The events at Breslau united all, with the exception of a few barons and such Germans as were left, in resistance against Sigismund. The preachers thundered against him as the Red Dragon of the Apocalypse. By April 3 the citizens of Utraquist Prague had bound themselves by a solemn oath with the Taborites to defend themselves against him to the last, and were busy in preparations to sustain a siege. Sigismund's forces were wholly inadequate for the conquest of a virtually united kingdom. After an advance to Kuttenberg he was forced to withdraw and await the assembling of the crusade, which took long to organize, and did not burst in its fury over Bohemia until the following year, 1421. It was on a scale to crush all resistance. In its mass of one hundred and fifty thousand men all Europe was represented, from Russia to Spain and from Sicily to England. The reunited Church aroused all Christendom to stamp out the revolt, and the treasures of salvation were poured lavishly forth to exterminate those who dared to maintain the innocence of Huss and Jerome, and to take the Eucharist as all Christians had done until within two hundred years. The war was waged with desperation. Five times during 1421 the crusaders invaded Bohemia, and five times they were beaten back disastrously. The gain to the faith was scarce perceptible, for Sigismund stripped the churches of all their precious ornaments, declaring that he was

* Laur. Byzyn. Diar. Bell. Hussit. (Ludewig VI. 159).—Raynald. ann. 1420, No. 13.—Hist. Persecut. Eccles. Bohem. pp. 39-40.—Ægid. Carlerii Lib. de Legation. loc. cit.

There was warning also to the democratic party among the Bohemians in the vengeance taken by Sigismund on citizens of Breslau who had been concerned in an uprising similar to that of Prague. On March 7 he caused twenty-three of them to be beheaded.—Bezold, König Sigmund und die Reichskriege gegen die Husiten, München, 1872, p. 37.

not impelled by lack of reverence, but by a prudent desire to prevent their falling into the hands of the Hussites. Both sides perpetrated cruelties happily unknown save in the ferocity of religious wars. During the siege of Prague all Bohemians captured were burned as heretics whether they used the cup or not; and on July 19 the besieged demanded of the magistrates sixteen German prisoners, whom they took outside of the walls and burned in hogsheads in full sight of the invading army. We can estimate the mercilessness of the strife when it was reckoned among the good deeds of George, Bishop of Passau, who accompanied Albert of Austria, that by his intercession he saved the lives of many Bohemian captives.*

It is not our province to follow in detail this bloody struggle, in which for ten years the Hussites successfully defied all the forces that Martin and Sigismund could raise against them. When the crusaders came they presented a united front, but within the line of common defence they were torn with dissensions, bitter in proportion to their exaltation of religious feeling. The right of private judgment when once established, by admitting the doctrines of Wickliff and Huss, was not easily restrained, nor could it be expected that those who were persecuted would learn from persecution the lesson of tolerance. In the wild tumult, intellectual, moral, and social, which convulsed Bohemia, no doctrines were too extravagant to lack believers.

In 1418 it is related that forty Pikardi with their wives and children came to Prague, where they were hospitably received and cared for by Queen Sophia and other persons of rank. They had no priest, but one of their number used to read to them out of certain little books, and they took communion in one element. They vanish from view without leaving a trace of their influence, and were doubtless Beghards driven from their homes and seeking a refuge beyond the reach of orthodoxy. Yet their name remained, and was long used in Bohemia as a term of the bitterest contempt for those who denied transubstantiation. Subsequently, however, there was a more portentous demonstration of

* Laur. Byzyn. Diar. Bell. Hussit. (Ludewig VI. 161–3, 167–70, 181). — Andreæ Ratispon. Chron. (Eccard. Corp. Hist. I. 2147).—Schrödl, Passavia Sacra, p. 289.—Naucleri Chron. p. 933 (Ed. 1544).—Hist. Persecut. Eccles. Bohem. pp. 43–44.

the Brethren of the Free Spirit. A stranger, said to come from Flanders, whose name, "Pichardus," shows evidently that he was a Beghard, disseminated the doctrine of the Brethren, and among other things that nakedness was essential to purity, which we have seen was one of the extravagances of the sect. The practice was one which in a more settled state of society could not have been ventured on, but in Bohemia he found little difficulty in obtaining quite a large following of both sexes, with whom he settled on an island in the river Luznic, and dignified them with the name of Adamites. Perhaps they might have flourished undisturbed had not fanaticism, or possibly retaliation for aggression, led them to make a foray on the mainland and slay some two hundred peasants, whom they styled children of the devil. Ziska's attention being thus drawn to them, he captured the island and exterminated them. Fifty of them, men and women, were burned at Klokot, and those who escaped were hunted down and gradually shared the same fate, which they met with undaunted cheerfulness, laughing and singing as they went to the stake.*

In the sudden removal of ecclesiastical repression of free thought it was inevitable that unbalanced minds should riot in extravagant speculation. Among the zealots who subsequently developed into the sect of the Taborites there was at first a strong tendency to apocalyptic prophecy suited to the times. First, there was to be a period of unsparing vengeance, during which safety could be found only in five specified cities of refuge, after which would follow the second advent of Christ, and the reign of peace and love among the elect, and earth would become a paradise. At first, the destruction of the wicked was to be the work of God, but as passions became fiercer it was held to be the duty of the righteous to cut them off without sparing. These Chiliasts or Millenarians had for their leader Martin Huska, surnamed Loquis, on account of his eloquence, and numbered among them Coranda and other prominent Taborite priests. Waldensian influence is visible in some features of their faith, and they rendered themselves peculiarly obnoxious by the denial of transubstantia-

* Palacky, Beziehungen, pp. 20-1.—Æn. Sylvii Hist. Bohem. c. 41.—Dubravii Hist. Bohem. Lib. 27.

tion. For this they were exposed to pitiless persecution wherever their adversaries could exercise it. One of their leading members, a cobbler of Prague, named Wenceslas, was burned in a hogshead, July 23, 1421, for refusing to rise at the elevation of the host, and soon afterwards three priests shared the same fate because they refused to light candles before the sacrament. Martin Loquis himself was arrested in February of the same year, but was released at the intercession of the Taborites, and set out with a companion to seek Procopius in Moravia. At Chrudim, however, the travellers were arrested, and were burned at Hradisch after two months of torture vainly inflicted to wean them from their errors and force them to reveal the names of their associates. As a distinct sect the Chiliasts speedily disappear from view, but their members remained a portion of the Taborites, the development of whose opinions they profoundly influenced. In the delegation sent to Basle, in 1433, Peter of Zatce, who represented the Orphans, had been a Chiliast.*

Thus these minor sects vanished as parties organized themselves in a permanent form, and the Bohemian reformers are found divided into two camps—the moderates, known as Calixtins or Utraquists, from their chief characteristic, the administration of the cup to the laity, and the extremists, or Taborites.

The Calixtins virtually regarded the teachings of Huss and Jacobel of Mies, as a finality. When, after the death of Wenceslas, the necessity of some definite declaration of principles was felt, the University of Prague, on August 1, 1420, adopted, with but one dissenting voice, four articles which became for more than a century the distinguishing platform of their sect. As concisely enunciated by the University they appeared simple enough: I. Free preaching of the Word of God; II. Communion in both elements for the laity; III. The clergy to be deprived of all dominion over temporal possessions, and to be reduced to the evangelical life of Christ and the apostles; IV. All offences against divine law to be punished without exception of person or condi-

* Laur. Byzyn. Diar. Bell. Hussit. (Ludewig VI. 202-7).—Palacky, Beziehungen, p. 31.—J. Goll, Quellen u. Untersuchungen zur Geschichte der Böhmischen Brüder, Prag, 1882, II. 10-11, 57-60.—Hist. Persecut. Eccles. Bohem. pp. 46-8.—Palacky, Præf. in Mon. Conc. Gen. Sæc. XV. p. xx.

tion. These four articles were speedily accepted by the strongly Calixtin community of Prague, and were proclaimed to the world in various forms which added to their completeness and rendered their purport definite. Any one was declared a heretic who did not accept the Apostles', Athanasian, and Nicene creeds, the seven sacraments of the Church, and the existence of purgatory. Offences against the law of God were declared to be worthy of death, both of the offender and those who connived at them, and were defined to be, among the people, fornication, banqueting, theft, homicide, perjury, lying, arts superfluous, deceitful, and superstitious, avarice, usury, etc.: among the clergy, simoniacal exactions, such as fees for administering the sacraments, for preaching, burying, bell-ringing, consecration of churches and altars, as well as the sale of preferment; also concubinage and fornication, quarrels, vexing and spoiling the people with frivolous citations, greedy exactions of tribute, etc.*

Upon this basis the Calixtin Church proceeded to organize itself in a council held at Prague in 1421. Four leading doctors, John of Przibram, Procopius of Pilsen, Jacobel of Mies, and John of Neuberg, were made supreme governors of the clergy throughout the kingdom, with absolute power of punishment. No one was to teach any new doctrine without first submitting it to them or to a provincial synod. Transubstantiation was emphatically affirmed as well as the seven sacraments. The daily use of the Eucharist was recommended to all, including infants and the sick. The canon of the mass was simplified and restored to primitive usage. Auricular confession was prescribed, as well as the use of the chrism and of holy water in baptism. Clerks were to be distinguished by tonsure, vestments, and conduct. Every priest was to possess a copy of the Scriptures, or at least of the New Testament, and stringent regulations were adopted for the preservation of priestly morality, including the prohibition of their protection by any layman after conviction.†

Thus the Calixtin Church kept as close as possible to the old

* Ægid. Carlerii Lib. de Legation. (Mon. Conc. Gen. Sæc. XV. T. I. p. 389).—Epistt. lxvi. lxvii. (Jo. Hus Monument. I. 82–4).—Laur. Byzyn. Diar. (Ludewig VI. 175–81).

† Conciliab. Pragens. ann. 1421 (Hartzheim V. 199–201). Cf. Johann. de Przibram Profess. Cath. Fidei (Cochlæi Hist. Hussit. pp. 501 sqq.).

lines. It accepted all Catholic dogmas, even the power of the keys in sacramental penance, and only was a protest and revolt against the abuses which had grown out of the worldly aspirations of the clergy. It was a Puritan reform, and it founded a Puritan society. When, after the reconciliation effected at Basle, on the basis of the four articles, Sigismund, in 1436, held his court in Prague, the Bohemians speedily complained that the city was becoming a Sodom with dicing, tavern-haunting, and public women. It must have sounded strange to them to be coolly told by a Christian prelate, the Bishop of Coutances, who was the legate of the council empowered to enforce the settlement, that it would be well if public sins could be eradicated, but that strumpets must be tolerated to prevent greater evils.*

The Calixtins thus sought to keep themselves strictly within the pale of orthodoxy, and deemed themselves greatly injured and insulted by the appellation of heretic. After the reconciliation of 1436 one of their most constant causes of complaint was that they were still stigmatized as heretics, and that the Council of Basle would not issue letters proclaiming to Christendom that they were regarded as faithful sons of the Church. In 1464, after successive popes had repeatedly refused to ratify the pacification of Basle and had excommunicated as hardened heretics George Podiebrad and all who acknowledged him as king, when George sent an embassy to Louis XI. of France, Kostka of Postubitz, the envoy, and his attendants were more than once surprised and annoyed to find that the people of the towns through which they passed were disposed to regard them as heretics. The position of the Bohemian Calixtins was an anomalous one which has no parallel in the history of mediæval Christendom.†

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* Jo. de Turonis Regestrum (Mon. Conc. Gen. Sæc. XV. T. I. p. 833, 858).

Yet these Puritans were represented to Europe in the papal bulls for the crusades as not only subverting all political and social order, but as condemning marriage and abandoning themselves to all manner of license and bestiality. —Martini PP. V. Bull. *Permisit Deus*, 25 Oct. 1427 (Fascic. Rer. Expetendarum et Fugiend, II. 613).

† Jo. de Turonis Regestrum (Mon. Conc. Gen. Sæc. XV. T. I. pp. 843, 858, 865).—Wratislaw, Diary of an Embassy from George of Bohemia, London, 1871.

In the intellectual and spiritual excitement which stirred Bohemia to the depths, it was impossible that all earnest souls should thus pause on the threshold. The old Waldensian heretics, who had hailed the progress of Wickliffite and Hussite doctrines, would naturally seek to prevent the arrested development of the Calixtins from prevailing, and, as we have seen, there were plenty of zealots who were ready to throw aside all the theology of sacerdotalism. Under the energetic leadership of Ziska, Coranda, Nicholas of Pilgram, and other resolute men, the progressive elements were rapidly moulded into a powerful party, which after sloughing off impracticable enthusiasts presented itself with a definite creed and purpose, and became known as the Taborites. Of late years there has been an active controversy as to whether the Waldenses were the teachers or the disciples of the Taborites. Without denying that the fearless vigor of the latter lent added strength to the development of the former, I cannot but think that the secret Waldensianism of Bohemia had much to do both with the revolt of Huss and with the carrying-out of that revolt to its logical consequences. Certain it is that there were close and friendly relations between Waldensian and Taborite, while the very name of the former was regarded by all other Bohemians as a term of reproach—in fact there was so much in common between Wickliffite and Waldensian doctrine that this could scarce be otherwise. I have already alluded to the contributions made to the Hussites in 1432 by the Waldensian churches of Dauphiné, and to the virtual coalescence of Hussitism and Waldensianism throughout Germany. When Procopius the Great, in 1433, was taking leave of the Council of Basle, he had the hardihood to inject into his address a good word for the Waldenses, saying that he had heard them well spoken of for chastity, modesty, and similar virtues. Persecution in 1430 so thinned them out that they had neither bishop nor priests; Nicholas of Pilgram, the Taborite bishop, had enjoyed consecration in the Roman Church, and thus had the right to transmit the apostolic succession, and he, in 1433, in Prague consecrated for the Waldenses as bishops two of their number, Frederic the German, and John the Italian. When, in 1451, Æneas Sylvius passed a night in Mount Tabor, and wrote a picturesque description of what he observed, he states that while all heresies had a refuge there, the Waldenses were held in

chief honor as the vicars of Christ and enemies of the Holy See.*

When the Calixtins, in 1421, defined their position, the Taborites did the same. Various special Waldensian errors were attracting attention and obtaining currency among the people—the denial of purgatory, the vitiation of the sacrament in sinful hands, the absolute rejection of the death-punishment and of the oath—showing the influences at work. The position assumed by the Taborites was so strikingly similar to the beliefs ascribed in 1395 to the Waldenses in Austria by the Celestinian inquisitor, Peter, that it is impossible not to recognize the connection between them. While the Taborites accepted the four articles of the Calixtins they reduced the Church to a state of the utmost apostolic simplicity. Tradition was wholly thrown aside; all images were to be burned; there was no outward sign of distinction between layman and priest, the latter wearing beards, rejecting the tonsure, and using ordinary garments; all priests, moreover, were bishops, and could perform the rite of consecration; they baptized in running water, without the chrism, celebrated mass anywhere, reciting the simple words of consecration and the Paternoster in a loud voice and in the vernacular, administering the body in fragments of bread and the blood in any vessel which might be handy; all consecrations of sacred vessels, oil, and water was forbidden; purgatory, which Huss had accepted, was denied, and to manifest their contempt for the suffrages of the saints they ate more than usual on fast-days and saints'-days; auricular confession was derided—for venial sins confession to God sufficed, for mortal ones, public confession before the brethren, when the priest would assign a penalty commensurate with the offence. At the same time the rude and uncultured vigor of the Taborites led them to regard all human learning as a snare. Those who studied the liberal arts were regarded as heathen and as sinning against the Gospel, and all writings of the doctors, save what were expressly contained in the Bible, were to be destroyed.†

* Æn. Sylvii Hist. Bohem. c. 35; Ejusd. Epist. 130 (Opp. Ed. 1571, p. 678).—Pet. Zateccns. Lib. Diurnus (Monument. Conc. Gen. Sæc. XV. T. I. p. 352).—Concil. Bituricens. ann. 1432 (Harduin. VIII. 1459).—Goll, Quellen u. Untersuchungen zur Geschichte der Böhmischen Brüder, I. 106.

† Goll, Quellen u. Untersuchungen, II. 40–1.—Preger, Beiträge zur Geschichte

What were their views with respect to the Lord's Supper cannot be stated with precision. Laurence of Brezowa, a Calixtin bitterly hostile to them, says that they consecrated the elements in a loud voice and in the vulgar tongue, that the people might be assured that they were receiving the real body and the real blood, which infers belief in transubstantiation. In 1431 Procopius the Great and other leaders of the Taborites issued a proclamation defining their position, in which they asserted their disbelief in purgatory, in the intercessory power of the Virgin and saints, in masses for the dead, in absolution through indulgences, etc., but said nothing against transubstantiation. When, in 1436, the legates of the Council of Basle complained of the non-observance of the Compactata, one of their grievances was that Bohemia still sheltered Wickliffites who believed in the remanence of the substance of the bread, but they said nothing about the existence of any worse form of belief. On the other hand, the Taborite Bishop, Nicholas of Pilgram, strongly asserted that Christ was only present spiritually, that no veneration was due to the consecrated elements, and that there was less idolatry in those who of old adored moles and bats and snakes than in Christians who worshipped the host, for those things at least had life. During the negotiations, in January, 1433, the legates of the council presented a series of twenty-eight articles, attributed to the Bohemians, and asked for definite answers, yea or nay. One of these was a denial of transubstantiation, and the Bohemians could never be induced to make the desired reply. Peter Chelcicky reproached the Taborites with concealing their belief on the subject, but it is probable that there was no absolute accord among them. The Chiliast leaven doubtless spread the denial of transubstantiation; others probably adopted the Wickliffite doctrine of remanence; others again may have preserved the orthodox faith, and all resented the appellation of Pikards, with which the Bohemians designated those who disbelieved in the absolute conversion of the elements. Certain it is that the question did not come up with any prominence

der Waldesier, pp. 68–71.—Laur. Byzyn. Diar. (Ludewig VI. 183–4, 194–202).—Johann. de Przibram Profess. Fidei (Cochlæi Hist. Huss. p. 507).—Huss, Sermo de Exequiis (Monument. II. 50).

See also Æneas Sylvius's statement of the identity between the Waldensian and Hussite teachings (Hist. Bohem. c. 35).

in the negotiations with the Council of Basle; and in the description which Æneas Sylvius gives, in 1451, of the Taborites of Mount Tabor he simply says that some of them are so foolish that they hold the doctrine of Berenger, that the body of Christ is only figuratively in the sacrament.*

It was impossible that harmony could be preserved between Taborite and Calixtin when there was so marked a divergence of religious conviction. They quarrelled and held conferences and persecuted each other, but they presented a united front to the levies of crusaders which Europe repeatedly sent against them, and Sigismund's hope of reconquering the throne of his fathers grew more and more remote. The death of Ziska, in 1424, made little difference, save that his immediate followers organized themselves into a separate party under the name of Orphans, but continued in all things to co-operate with the Taborites. He was succeeded in the leadership by the warrior-priest Procopius Rasa, or the Great, whose military skill continued to hold banded Europe at bay. Hussitism, moreover, was spreading into the neighboring lands, especially to the south and east, requiring, as we shall see hereafter, the strenuous efforts of the Inquisition to eradicate it from Hungary and the Danubian provinces. In Poland its missionary efforts called forth an edict from King Ladislas V., April 6, 1424, ordering all his subjects to join in exterminating heretics; every Pole who returned from a sojourn in Bohemia was subjected to examination by the inquisitors or episcopal officials, and all who should not return by June 1 were declared heretics, their estates confiscated, and their children subjected to the customary disabil-

* Laur. Byzyn. (loc. cit. p. 195).—Martene Ampl. Coll. VIII. 19–27, 249–51, 596–99.—Jo. de Turonis Regest. (Mon. Conc. Gen. Sæc. XV. T. I. p. 842, 846).—Jo. de Ragusio Tractatus (Ibid. T. I. pp. 272–4, 278, 285).—Goll, Quellen, II. 17–18, 61–4.—Æn. Sylvii Epist. 130 (Ed. 1571, p. 661).

Even Rokyzana, in 1436, was with great difficulty forced to express his disbelief in the remanence of the substance of the bread.—Jo. de Turonis Regest. (loc. cit. pp. 426–7). Yet nothing can exceed the strength of his affirmation of the existence of the body and blood, in his *Tractatus de Septem Sacramentis* (Cochlæi Hist. Hussit. pp. 473–4). In view of the exaggerated superstitious adoration of the Eucharist by the Calixtins, the assertion of Cardinal Giuliano, in 1431, that the Hussites were wont to manifest their contempt for it by trampling it in the blood of the slain, is a good illustration of the stories invented to stimulate popular abhorrence (Cochlæi op. cit. p. 240).

ities.* The Church was completely baffled. It had triumphed over a similar revolt in Languedoc, and had shown the world, in characters of blood and fire, how it utilized its triumphs. It now had a different problem to solve. Force having failed, it was obliged to discover some formula of reconciliation which should not too nearly peril its claim to infallibility.

To do it justice, it did not yield without compulsion. Tired of standing on the defensive against assaults whose repetition seemed endless, Procopius, in 1427, adopted the policy of aggression. He would win peace by making the coterminous states feel the miseries of war, and in a series of relentlessly destructive raids, continued till 1432, he carried desolation into all the surrounding provinces. Thus in a foray of 1429, which cut a swath through Franconia, Saxony, and the Vogtland, over a hundred castles and fortified towns were captured, and an immense booty was carried back to Bohemia. Misnia, Lusatia, Silesia, Bavaria, Austria, and Hungary in turn felt the weight of the Hussite sword, while the prompt retirement of the invaders in every case showed that retaliation and not conquest was their object. It was no wonder that a general cry for peace went up among those who bore the brunt of the effort to reassert the papal supremacy.†

Meanwhile the Church was perplexed with another yet more vexatious question. Christendom never ceased to clamor for the reform of which it had been cheated at Constance. Skilful procrastination had wearied the reforming fathers, and they had consented, in 1418, to the dissolution of the council, hoping that the promises made in the election of Martin V. would be fulfilled. They took the precaution, however, to provide for an endless series of councils, which might be expected to resume and complete their unfinished work, and the plan which they laid out shows how deep-seated was the distrust entertained of the papacy. Another general council was ordered to be held in five years, then

* Herburt. de Fulstin Statut. Regni Poloniæ, Samoscii, 1597, p. 191.

† Balbin. Epit. Rer. Hung. pp. 475–6.—Sommersberg Silesiac. Rer. Scriptt. I. 75.—A popular rhyme of the period described:

"Meissen und Sachsen verderbt,
Schliesien und Laussnitz zerscherbt,
Bayern aussgenehrt,
Oesterreich verhergt,
Mähren verzerht,
Böheimb umbgekehrt."
(Balbin. p. 478.)

one in seven years thereafter, and finally a perpetual succession at intervals of ten years, with careful provisions to nullify the expected evasions of the popes.*

As far as relates to Germany, Martin endeavored to perform the two duties for which he had been elected—the suppression of heresy and the reformation of the Church—by sending, in 1422, Cardinal Branda thither as legate. To accomplish the former object the legate was directed to preach another crusade, that of 1421 having ended so disastrously. As regards the latter feature of his mission, the papal commission and the decree issued in conformity with it by Branda describe the vices of the German clergy in terms quite as severe as those employed by Huss and his followers, and furnish a complete justification of the Bohemian revolt. The only wonder is that pope or kaiser could expect the populations to rest satisfied with the ministrations of men who assumed to be gifted with supernatural power and to speak in the name of the Redeemer, while steeped to the lips in every form of greed, uncleanness, and lust. The constitution which Branda issued to cure these evils only prescribed a repetition of remedies which had vainly been applied for centuries. It simply attacked the symptoms and not the cause of the disease, and it consequently remained inoperative.†

Five years had elapsed since the ending of the Council of Constance. Nothing had been accomplished to suppress heresy or reform the Church, and when in due time the Council of Siena assembled, in 1423, it remained to be seen whether the unfinished work of Constance could be completed. Under the presidency of four papal legates it was held that the attendance of prelates and princes was too small to permit the work of reformation to be undertaken, but it was sufficient to justify the council in confirming the promises made by Martin of forgiveness of sins for all who should assist in exterminating the heretics. All Christian princes were summoned to lend their aid in the good work without delay if they wished to escape divine vengeance and the penalties provided by law. All commerce of every kind with the heretics was forbidden, especially in victuals, cloth, arms, gunpowder, and lead; every one trading with them, or any prince permitting communi-

* C. Constant. Decr. *Frequens* (Von der Hardt IV. 1435).

† Ludewig Reliq. MSS. XI. 385, 409.

cation with them over his lands was pronounced subject to the punishments decreed against heresy. Bohemia was to be isolated and starved into submission by a material blockade enforced by spiritual censures.*

As for reformation, it was found that all efforts seriously to consider it were skilfully blocked by the legates. This is not surprising, as the Church was to be reformed in its head as well as in its members, and the head was recognized as the chief source of infection. A project presented by the Gallican deputies described in indignant bitterness the abuses of the curia—the sale of preferments and dignities to the highest bidder, irrespective of fitness, with the consequent destruction of benefices and plunder of the people; the papal dispensations which enabled the most incongruous pluralities to be held by individuals, and the other devices whereby Rome was enriched at the cost of religion; the centralizing of all jurisdiction in Rome to the spoliation of the indigent who dwelt at a distance; the papal decrees which set aside the salutary regulations of general councils—showing how nugatory had been the reformatory regulations wherewith Martin, when elected, had parried the attacks of the Council of Constance. The disappointment of the Council of Siena at the baffling of its efforts was leading to a tension of feeling that grew dangerous. A French friar, Guillaume Joselme, preached a sermon in which he demonstrated that the pope was the servant and not the master of the Church. The legates denounced him as a heretic, and ordered the magistrates of Siena to arrest him, but they, unlike Sigismund, replied that they had given a safe-conduct to all the members of the council, and could not go behind it. Finally, finding that under the control of the papacy no reformatory action was possible, the attempt was made to shorten to two or three years the seven years' interval that was to elapse before the next council. All the several nations had agreed to it when its enactment was prevented by the legates suddenly dissolving the council, March 8, 1424, in spite of a protest intimating very plainly that they had prevented all reformatory legislation. The seven years' interval was preserved, and the next council was indicated for Basle, in 1431. The reformers consoled themselves by pointing

* Concil. Senens. ann. 1423 (Harduin. VIII. 1015).

out that, of the four papal representatives concerned in thus strangling the council, three died within a year, of terrible deaths, manifestly the divine vengeance on their wickedness. Martin made a show of supplementing this lack of performance by appointing a commission of three cardinals to carry on the work of reform, and requested all complaints and suggestions to be sent to them—a measure which was as profitless in result as it was intended to be. Equally illusory was a constitution issued shortly after, restraining the ostentation and extravagance of the cardinals, and prohibiting them from assuming the "protection" of any prince or potentate, or asking favors except for the poor or for their own retainers and kindred, thus reducing the importance of the Sacred College as a factor of the Holy See and exalting his own.*

The time fixed for the assembling of the Council of Basle, March, 1431, was rapidly drawing nigh without any action on the part of Martin looking to its convocation. He who owed his election to a general council was notorious for abhorring the very name of council. At length, on November 8, 1430, there appeared on the doors of the papal palace, and in the most conspicuous places in Rome, an anonymous notice, purporting to be issued by two Christian kings, reciting the necessity of holding a council in obedience to the decrees of Constance, and appending some conclusions of a threatening character, to the effect that if the pope and cardinals impede it, or even evade promoting it, they are to be held as fautors of heresy; that if the pope does not open the council himself or by his deputies, those who may be present will be compelled by divine law to withdraw obedience from him, and Christendom will be bound to obey them, and that they will be forced to proceed summarily to his deposition and that of the cardinals as fautors of heresy. It was evident that Christendom was determined to have the council, with the pope or without him, and Martin, after holding out till the last moment, was compelled to yield. He had appointed, January 11, 1431, Cardinal Giuliano Cesarini as legate to preach another crusade with plenary indul-

* Jo. de Ragusio Init. et Prosec. Conc. Basil. (Mon. Conc. Gen. Sæc. XV. T. I. pp. 28–30, 32–35, 53–61, 64).—Concil. Senens. (Harduin. VIII. 1025–6).—Act. Conc. Basil. (Harduin. VIII. 1108–10).—Raynald. ann. 1425, No. 3, 4.

John of Ragusa was the delegate of the University of Paris to Siena, and subsequently played an active part at Basle.

gences against the Hussites, and to him he issued, February 1, a commission to open and preside at the council. One of those most earnest in bringing this about was the Cardinal of Siena. Had he been able to forecast the future he would have tempered his zeal. Within three weeks Martin was dead, and on March 3 the Cardinal of Siena was elected his successor, taking the name of Eugenius IV.*

Cardinal Giuliano went on his double mission and preached the fifth crusade against the Hussites. The Bohemian forays had stimulated Germany to an earnest effort to crush the troublesome rebels, and he found himself at the head of an army variously estimated at from eighty thousand to one hundred and thirty thousand men. The Bohemians applied to the Emperor Sigismund for a safe-conduct to Basle, offering to submit the questions at issue to debate on the basis of Scripture. This was refused, and they were told that they must agree to stand to the decisions of the council without limitation. They preferred the arbitrament of arms, and issued a protest to the Christian world in which, with coarse good sense, they defined their position, attacked the temporal power of the papacy, and ridiculed the indulgences issued for their subjugation. This document was received by the council on August 10, very nearly on the day on which, at Taas, the crusaders fled without striking a blow, on hearing the battle-hymn of the dreaded Hussite troops. As a military leader Cardinal Giuliano was evidently a failure, and it only remained for him to try peaceful measures. The German princes, alarmed and exhausted, showed evident signs of determination to come to terms with their unconquerable neighbors. It was a hard necessity, but there was no alternative, and on October 15 the council resolved to invite the Bohemians to a

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* Jo. de Ragusio Init. etc. (Mon. Con. Gen. Sæc. XV. T. I. pp. 66–7).—Cochlæi Hist. Hussit. pp. 237–9.

The repulsion of the papacy for general councils was not unnatural. On June 3, 1435, the Council of Basle, with virtual unanimity, abrogated the annates and decreed that in future no charges should be made for sealing collations and confirmations of sees and benefices, except the scrivener's moderate fees. The Bishops of Otranto and Padua protested in the name of the pope, and finding this unheeded arose and left the council, followed by a few others, while the rest gave themselves up to rejoicing and thanking God.—Ægid. Carlerii Lib. de Legation. (op. cit. I. 568).

conference and to give them a safe-conduct, although the letters were not forwarded until November 26.*

Meanwhile the inevitable quarrels between pope and council had broken out with bitterness. But three weeks after the invitation to the Bohemians had been despatched, on December 18, Eugenius took the extreme step of dissolving the council and calling another to be held in eighteen months at Bologna, where he would preside in person. At this action Germany was aghast. Sigismund remonstrated energetically, and the council, assured of his support, refused to obey. Cardinal Giuliano was won over and made himself its mouthpiece. He had had an opportunity of observing the condition of men's minds north of the Alps, and he knew to what a storm the bark of St. Peter would be exposed. It may safely be said that since the papacy became dominant over the Church few popes have received from a subordinate so vigorous a reproof as that in which Giuliano gave his reasons for disobedience, and it contains so vivid a picture of the times that a brief abstract of it cannot well be spared. Clerical wickedness, he says, in Germany is such that the laity are irritated to the last degree against the Church, wherefore it is greatly to be feared that if there is no reformation they will execute their public threats of rising, like the Hussites, against the clergy. This turpitude has given great audacity to the Bohemians and lends color to their heresy, and if the clergy cannot be reformed the suppression of this heresy would lead only to the breaking-out of another. The Bohemians have been invited to the council; they have replied and are expected to come. If the council is dissolved, what will the heretics say? Will not the Church confess herself defeated when she dares not await those whom she has invited? Will not the hand of God be seen in it? A host of warriors has fled before them, and now the Church universal flies! Behold, they cannot be overcome either by arms or arguments! Alas for the wretched clergy wherever they be! Will they not be deemed incorrigible and determined to live in their filth? So many councils have been held in our days from which no reformation has come! From this one the nations have expected some

* Martene Ampl. Coll. VIII. 15–18.—Chron. Concil. Zantfliet (Ibid. V. 425–7).—Jo. de Ragusio Tractatus (Mon. Conc. Gen. Sæc. XV. T. I. pp. 135, 138).

fruit. If it be thus dissolved, we shall be said to laugh at God and man, and when there is no hope of our correction the laity will justly assail us, like the Hussites. Already there are reports of it, already they begin to spit forth the venom which is to destroy us. They will think to offer a welcome sacrifice to God when they slay or despoil us, who will then be odious both to God and man, and whereas now there is little respect for us, there will then be none. The council was some restraint upon them, but when they lose all hope they will persecute us publicly, and the whole blame will be thrown upon the Roman curia, which breaks up the assembly convened to effect reform. Latterly the city of Magdeburg has expelled her archbishop and clergy; the citizens march with wagons like the Bohemians, and are said to have sent for a Hussite captain, and they have, moreover, a league with many other communities of those parts. The people of Passau have driven out their bishop and are besieging one of his castles. Both cities are near to Bohemia, and if, as is to be feared, they unite they will have a following of many other towns. At Bamberg there is fierce discord between the citizens on the one side and the bishop and chapter on the other, which is especially dangerous by reason of the neighborhood of the heretics. If the council is dissolved these quarrels will increase, and many other communities will be drawn in.*

Making due allowance for inevitable rhetorical exaggeration this picture is a true one. Hussite ideas were rapidly spreading through Germany, and finding a congenial soil in the aversion born of incurable clerical corruption. About this time Felix Hemmerlin complains of the countless souls seduced to heresy by the emissaries who, every year, come from Bohemia to Berne and Soleure. Numerous executions of heretics are recorded at this period in Flanders, where persecution had been for centuries almost unknown, and we may be sure that Hussite missionaries were busily carrying on an equally successful propaganda elsewhere. If the hopes which were built on the council were destroyed, the

* Harduin VIII. 1575–8.—Raynald. ann. 1431, No. 26.—Epist. Card. Juliani (Æn. Sylv. Opp. Ed. 1571, pp. 66-9).

The letter of Cardinal Giuliano and Æneas Sylvius's Commentaries on the Council of Basle were subsequently put in the Index Expurgatorius (Reusch, Der Index der verbotenen Bücher, I. 40).

Church might well expect a general revolt. Sustained by the united support of Cismontane Christendom, the council resolutely went its way. Sigismund urged it to stand firm, and in November, 1432, he issued an imperial declaration that he would sustain it against all assailants. Eugenius held out until February, 1433, when he assented to its continuance, but in July he again dissolved it, and in September repeated the command. Then the council commenced active proceedings to arraign and try him, and in December he revoked these bulls. In the subsequent quarrel the council decreed his suspension in January, 1439, and his deposition in June, while the election of Amedeo of Savoy as Felix V. was confirmed in November of the same year.*

Into the details of the interminable negotiations which followed between the council and the Hussites it is not worth while to enter. The latter carried their point, and, in a conference held at Eger, May 18, 1432, it was agreed that the questions should be debated on the basis of the Scriptures and the writings of the early fathers. The four articles which were the common ground of Calixtins and Taborites were put forward as their demands, and to these they steadily adhered through all the dreary discussions in Basle, Prague, Brünn, Stuhlweissenberg, to the final conference of Iglau in July, 1436. The discussions were ofttimes hot and angry, and the good fathers of Basle were sometimes scandalized at the freedom of speech of the Bohemian delegates. When John of Ragusa alluded to the Hussites as heretics, John Rokyzana, one of the Calixtin delegates, indignantly denied it, and demanded that if any one accused them of heresy he should offer the *talio* and prove it. Procopius, who represented the Taborites, joined in and declared that he would not have come to Basle had he known that he would be thus insulted. Time and skill were required to pacify the Bohemians, and John of Ragusa and the Archbishop of Lyons were forced to apologize formally. On another occasion the Inquisitor Henry of Coblentz, a Dominican doctor, complained that Ulric of Znaim, a deputy of the Orphans, had said that monks were introduced by the devil. Ulric denied it, and Procopius intervened, saying that he had remarked to the

Hemmerlin Lollardor. Descriptio.—Duverger, La Vauderie dans les États de Philippe le Bon, Arras, 1885, p. 24.—Harduin. VIII. 1141, 1172–82, 1263, 1280, 1582, 1606.—Martene Ampl. Coll. VIII. 80–2.

legate that if the bishops came from the apostles, and priests from the seventy-two disciples, the others could have had no other source but the devil. This sally raised a general laugh, which was increased when Rokyzana called to the inquisitor, "Doctor, make Dom Procopius provincial of your order." These trifles have their significance when compared with the shouts of "Burn him! Burn him!" which assailed Huss at Constance. In fact the Hussites were urged to incorporate themselves with the council, but they were too shrewd to fall into the snare.*

By unbending firmness the Bohemians carried their point, and secured the recognition of the four articles, which became celebrated in history as the Compactata—the Magna Charta of the Bohemian Church until swept away by the counter-Reformation. This was agreed to in Prague, November 26, 1433, and confirmed by mutual clasp of hands between the legates of the council and the deputies of the three Bohemian sects, but matters were by no means settled. The four articles were brief and simple declarations which admitted of unlimited diversity of construction. The dialecticians of the council had no difficulty in explaining them away, until they practically amounted to nothing; the Hussites, on the other side, with equal facility, expanded them to cover all that they could possibly wish to claim. Hardly was the handclasping over when it was found that the Bohemians asserted that the permission of communion in both elements meant that they were to continue to administer it to infants, and to force it proscriptively on every one—positions to which the council could by no means assent. This will serve as an illustration of the innumerable questions which kept the negotiators busy during yet thirty dreary months. So far, indeed, was the matter as yet from being settled, that, in April, 1434, the council levied a half-tithe on Christendom for a crusade against the Hussites, which enabled it to stimulate with liberal payments the zeal of the Bohemian Catholic nobles.†

* Martene Ampl. Coll. VIII. 131–33.—Pet. Zatecens. Lib. Diurn. (Mon. Conc. Gen. Sæc. XV. T. I. p. 304–5, 324, 328–31, 348).—Naucleri Chron. ann. 1434.

† Ægid. Carlerii Lib. de Legation. (Ibid. T. I. pp. 447–71, 495–7).—Martene Ampl. Coll. VIII. 305–40, 356–415, 698–704).—Hartzheim V. 768–9.—Kukuljević, Jura Regni Croatiæ, Zagrabiæ, 1862, I. 192.—Batthyani Legg. Eccles. Hung. III. 419. The question of infantile communion affords an illustration of the skilful casuistry of the orthodox. After the reconciliation, when Sigismund was ruling

It is not likely that any results would have been reached but for events which at first seemed to threaten the continuance of the negotiations. The Taborites could only have consented to treat on the basis, so inadequate to them, of the four articles, in the confidence that the practical application would cover a vastly wider sphere. After the preliminary agreement of November 26, the construction assumed by the legates of the council made them draw back. The affair was reaching a conclusion, and it was necessary to have a definite understanding of that to which they were binding themselves. After the departure of the legates from Prague, in January, 1434, hot discussions arose between them and the Calixtins as to the continuance of the negotiations. There were political as well as religious differences between them. The Taborites were mostly peasants and poor folk; they wanted no nobles or gentlemen in their ranks, and seem to have had republican tendencies, as they desired to add to the four articles two others, providing for the independence of Bohemia and for the retention of all confiscated property. Both parties became exasperated, and flew to arms for a contest decisive as to their respective mastery. The Taborites had for some time been besieging Pilsen, a city which held out for Sigismund. Learning that their friends in the Neustadt of Prague had been slaughtered without distinction of age or sex, to the number, it is said, of twenty-two thousand, they raised the siege, May 9, to take vengeance on the city, but after a demonstration before it, they withdrew towards Moravia. Meanwhile the Calixtins had formed an alliance with the Catholic barons, who had been liberally subsidized by the council, and followed them with a formidable force. The shock came at Lipan, on Sunday, May 30. All day and night the battle raged, and until the third hour of Monday morning. When it was over, Procopius, Lupus, and thirteen thousand of the bravest Taborites lay dead upon the field, and the murderous nature of the strife is seen in the fact that but seven hundred prisoners were taken, though we may question the claim of the victors that the battle cost them but two hundred men, and we may hope that there is

in Prague, infantile communion was forbidden by the legate of the council, on the ground that the Compactata only guaranteed the privilege to those who had been accustomed to it, and that infants born since then were therefore not entitled to it.—Jo. de Turonis Regest. (Mon. C. Gen. Sæc. XV. T. I. p. 865).

exaggeration in the boast that they burned several thousand of those whom they subsequently captured. The power of the Taborites was utterly broken. It is true that they continued to hold Mount Tabor until finally crushed by George Podiebrad, in 1452; and that in the December following the battle their unconquerable spirit was again contemplating an appeal to arms, but after Lipan they were only a troublesome element of insubordination, and not a factor in the political situation. The congratulatory letters sent by some of the victors to Sigismund, and the effusive joy with which he communicated the news to the council, show that the victory was one for the Catholics.*

Even after the virtual elimination of the Taborites there were ample subjects of dispute, and at one time the prospect seemed so unpromising that preliminary arrangements were set on foot, in August, 1434, for organizing a new crusade on the proceeds of the half-tithe levied shortly before. One source of endless trouble sprang from the personal ambition of Rokyzana. Learned, able, a hardy disputant, and a skilled man of affairs, he had determined to be Archbishop of Prague, and this object he pursued with unalterable constancy. He bore a leading part in the negotiations, and made himself as conspicuous as possible, shifting his ground with dexterity, interposing objections and smoothing them as the interest of the moment might dictate. At first he endeavored to have a clause inserted that the people and the clergy should be empowered to elect an archbishop, who should be acknowledged and confirmed by the emperor and the pope. This being rejected, he procured of Sigismund a secret agreement that the election

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* Martene Ampl. Coll. VIII. 710–19.—Harduin. VIII. 1604, 1650–2.—Ægid. Carlerii Liber de Legationibus (Mon. Conc. Gen. Sæc. XV. T. I. pp. 522, 529–39, 544).—Raynald. ann. 1435, No. 22–3.—Naucleri Chron. ann. 1434.

The democratic insubordination characteristic of the Taborites is seen in an incident occurring in September, 1433. Procopius sent a detachment to invade Bavaria, and appointed as leader a captain named Pardus. The men mutinied before setting out, and, on Procopius interposing, one of them felled him to the ground with a blow on the head with a stool. The man who struck him was elected leader, and under his guidance the Taborites lost two thousand of their best veterans.—Ægid. Carlerii l. c. pp. 466–7.

The reduction to serfdom of the Bohemian peasantry, in 1487, may be regarded as the final result of the overthrow of the Taborites.

should be held, and that the emperor would do all in his power to secure the confirmation by the pope, without cost for pallium, confirmation, or notarial fees. Although this, when discovered, was protested against by the legates of the council and refused by the council itself, he proceeded, in 1435, to obtain an election by the national assembly of Bohemia, to the great disgust of the orthodox, who reasonably dreaded this example of a return of the primitive methods of selecting prelates. Again Sigismund secretly accepted this, while the legates declared it to be invalid, and that, as an infraction of the Compactata, it must be annulled. On this question the whole negotiation was nearly wrecked, and it was only settled by Sigismund and his son-in-law and heir, Albert of Austria, promising to issue letters recognizing Rokyzana as archbishop, and to compel obedience to him as such. After this it required but a fortnight more of quarrelling to bring the matter to a termination, and signatures to the Compactata were duly exchanged July 5, 1436, amid general rejoicings. Sigismund, restored to the throne of his fathers, made a show of complying with his promise, by writing to the council a letter asking Rokyzana's confirmation, at the same time explaining to the legates that he considered the council ought to refuse, but that he did not wish to break with his new subjects too suddenly. Of course the confirmation never came, and although Rokyzana called God to witness that he did not wish the archbishopric, the policy of his long life was devoted to obtaining it. With all convenient speed Sigismund forgot the pledge to enforce obedience to him. His position became so dangerous that he secretly fled from Prague, June 16, 1437, and remained in exile until after the deaths of Sigismund and Albert, when he returned in 1440, and speedily became the most powerful man in Bohemia. This position he retained until his death, in 1471, administering the archbishopric, constantly seeking confirmation at the hands of successive popes, and subordinating the policy of the kingdom, internal and external, so far as he dared, to that object—not the least anomalous feature of the anomalous Calixtin Church.*

* Martene Ampl. Coll. VIII. 354–6.—Ægid. Carlerii Lib. de Legationibus (Mon. Conc. Gen. Sæc. XV. T. I. pp. 368–9, 516–17, 519, 595, 597, 600, 632–4, 662–4, 674–6, 678, 684–6, 688)—Th. Ebendorferi Diar. (Ib. pp. 767–9, 776–9, 782–3).—Jo. de Turonis Regest. (Ib. 834–5, 837–8, 848, 868).

A peace in which all parties distrusted each other and placed radically different interpretations on its conditions was not likely to heal dissensions so profound. The very day after the solemn ratification of the Compactata an ominous disturbance showed how superficial was the reconciliation. In the presence of an immense crowd, at the high altar of the church of Iglau, where the final conferences were held, the Bishop of Coutances, chief of the legation of the council, celebrated mass and returned thanks to God. After this the letters of agreement were read in Bohemian, and Rokyzana commented upon them in the same language, much to the discomfort of the legates. He had been celebrating mass at a side altar, and when the reading was finished he called out, "If any one wishes communion in both elements let him come to this altar and it will be given to him." The legates rushed over to him and twice forbade him, but he quietly disregarded them and administered the sacrament to eight or ten persons. The incident excited intense feeling on both sides. The Bohemians demanded that a church be assigned to them in Iglau where during their stay they could receive the sacrament in both kinds; the legates refused the request, although urged by the emperor, and finally, after threats of departure, the Bohemians were forced to content themselves with celebrating, as they had previously done, in private houses.*

When Sigismund was fairly seated on the throne, there followed an endless series of bickerings, as the rites and ceremonies and usages of the Roman Church were restored, supplanting the simpler worship which had prevailed for twenty years. Consecrations, confirmations, images, relics, holy water, benedictions, were one by one introduced—even the hated religious orders were surreptitiously smuggled in. The canonical hours and chants were renewed in the churches, and every effort was made to accustom the people to a resurrection of the old order of things. On Corpus Christi day, May 30, 1437, a gorgeous procession swept through the streets of Prague bearing the host on high; the legate, the Archbishop of Kalocsa, and the Bishop of Segnia headed it, and were dutifully followed by the emperor and empress, the nobles

* Th. Ebendorferi Diar. (loc. cit. 82).—Jo. de Turonis Regest. (Ib. 821–22).—Naucleri Chron. ann. 1436.

and a mass of citizens. As a mute protest, Rokyzana met the splendid array, attended only by three priests, and bearing both host and cup. To the stern puritans who had so long struggled against the Scarlet Woman the imposing ceremony must have seemed a bitter mockery, for the Empress Barbara, who occupied a conspicuous position in the ranks, was a woman notorious for shameless licentiousness, and, moreover, was an avowed atheist, who disbelieved in the immortality of the soul.*

Within three weeks of this celebration, Rokyzana was a fugitive, seeking the protection of George Podiebrad at Hradecz, not without reason, if Æneas Sylvius is correct in saying that Sigismund was about to arrest him and punish him condignly. Then the process of reaction went on apace. Had Sigismund lived, he might have overcome all resistance, and reduced the land to obedience to Rome. His power was constantly growing. In March the surrender of the Taborite stronghold of Konigingrätz filled the Hussites with consternation. Not long after siege was laid to Zion, the fastness of John Rohacz, a powerful baron who had refused submission. He was finally captured in it, brought to Prague, and hanged in the presence of the emperor with sixty of his followers and a priest. Tradition relates that on that very day Sigismund was attacked with an ulcer which grew constantly worse and ended his days in December. Almost simultaneous with this was the decision by the Council of Basle on the question of communion in both elements, in which it skilfully evaded the inconsistency of the prohibition of the cup, and pronounced it to be the law of the Church, not to be modified without authority. As Albert of Austria, the son-in-law and successor of Sigismund, was a zealous Catholic prince, the council was emboldened in January, 1438, to issue an edict reciting and ordering the strict enforcement of the implacable bull of February 22, 1418, by Martin V., directed against the errors of Wickliff, Huss, and Jerome. This evidence of what they were to expect as the outcome of the Compactata gave the Taborites and the disaffected parties in Bohemia new energy. After a fruitless appeal to the council an alliance was made with Poland, whose boy-king, Casimir, was elected as a

* Jo. de Turonis Regest. (loc. cit. pp. 862, 865).—Æn. Sylvii Hist. Bohem. c. 59.—Naucleri Chron. ann. 1437.

competitor. Thus strengthened they offered effective resistance to Albert, who up to his sudden death, October 27, 1439, was unable to occupy the whole of his kingdom. Four months later, Ladislas, his posthumous son, was born, and a long minority, with its accompanying turbulence, enabled the Calixtins again to get the upper hand, over both the Taborites and the Catholics. In 1441 a council held at Kuttenberg organized the national Church on a Calixtin basis. Several conferences were held with the Taborites, and the points at issue were referred to the national diet held in January, 1444. Its emphatic decision in favor of the Calixtin doctrine broke up the Taborite organization. The cities still held by them surrendered one by one, and the members were scattered, for the most part joining the Calixtins. As a separate sect they may be said to have disappeared when, in 1452, George Podiebrad captured Mount Tabor and dispersed their remains.*

After the death of Albert what central authority there was in Bohemia was lodged in the hands of two governors, Ptacek representing the Calixtins, and Mainhard of Rosenberg, the victor of Lipan, the Catholics. In October, 1443, we hear of the Emperor Frederic III. as about starting for Bohemia where he expected to receive the regency, but his hopes were frustrated. Ptacek died in 1445, when the choice for his succession fell upon George Podiebrad, a powerful baron, who, though only twenty-four, had acquired a high reputation for military ability and sagacity. He was largely under the influence of Rokyzana, to whom doubtless his election was due. After a long interval, Rome again appeared upon the scene. Nicholas V., who ascended the papal throne in 1447, sent, in 1448, John, Cardinal of Sant' Angelo, to Prague as legate. The Bohemians earnestly urged him to ratify the Compactata and confirm Rokyzana as archbishop. He promised an answer, but finding the situation embarrassing, he secretly left Prague with Mainhard of Rosenberg. Popular indignation

* Æn. Sylvii Epist. lxxi. (Opp. inedd. *ap.* Atti della Accademia dei Lincei, 1883, p. 465).—Jo. de Turonis Regest. (Mon. Conc. Gen. Sæc. XV. T. I. pp. 855, 857).—Camerarii Hist. Frat. Orthod. pp. 57–8.—Naucleri Chron. ann. 1436, 1438. —Concil. Basiliens. Sess. XXX. (Harduin. VIII. 1244).—Petitiones Bohemorum (Fascic. Rer. Expetend. et Fugiend. I. 319, Ed. 1690).—Martene Ampl. Coll. VIII. 942–3.—Æn. Sylvii Epist. 101 (Ed. 1571, p. 591).—Chron. Cornel. Zantfliet (Martene Ampl. Coll. V. 445).—De Schweinitz, Hist. of Unitas Fratrum, pp. 91–2, 94.

enabled George by a *coup d'état*, in which there was considerable bloodshed, to render himself master of Prague and to cast Mainhard into prison, where he died soon after. George thus became the undisputed master of Bohemia. When Ladislas, in 1452, was recognized as king, George secured the regency, and when the young monarch died towards the close of 1457, at the early age of eighteen, George's coronation as king soon followed. Under him, until just before his death in 1471, Rokyzana's influence was almost unbounded.*

The situation of Bohemia, as a member of the Latin Church, was unprecedented. After the first break between Eugenius IV. and the Council of Basle the name of the pope disappears in the negotiations for the restoration of unity. These were carried on by both sides as though the conciliar authority was supreme, and the papal assent or confirmation was a matter of no moment, although a papal legate was present in January, 1436, at the conference at Stuhlweissenberg, where the matter was virtually settled. As the council drew to its weary end, powerless and discredited, the triumphant Eugenius was not disposed to recognize the validity of its acts or to ratify them gratuitously. The Bohemians alleged that he had confirmed the Compactata, but no positive evidence was forthcoming. To purchase the submission of Germany, in 1447, he had ratified a portion of the acts of the council, but the Compactata could not be included in his carefully guarded decrees. On the accession of Nicholas V., in 1447, the Bohemians sent to him a deputation offering him their allegiance, but we have seen how wary was the legate whom he despatched in return to Prague. It is true that to obtain the abdication of Felix V., Nicholas issued a bull, June 28, 1449, approving all the acts of the council which might strictly be held to confirm the Compactata, but the character of the bull shows that it had in view rather the material interests involved in benefices and preferment. Whatever doubt the Bohemians may have had as to the papal intentions towards them was speedily dissipated.†

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* Æn. Sylvii Hist. Bohem. c. 58.—Ejusd. Epist. xix. (Opp. inedd. p. 397).—Raynald. ann. 1448, No. 3–5.

† Ægid. Carlerii. Lib. de Legation. (Monument. Conc. Gen. Sæc. XV. T. I. pp. 691, 694).—Cochlæi Hist. Hussit. Lib. XII. ann. 1462.—Wadding. ann. 1452,

Rome, in fact, had never proposed to recognize the compromise made by the council. While the latter was busy in endeavoring to win back the Hussites, Eugenius IV. was laboring for their extermination by the usual methods, in such regions as he could reach. The relations between Bohemia and Hungary had long been close, and Hussitism had spread widely throughout the latter kingdom as well as in the Slavic territories to the south. As early as 1413 we hear complaints of Wickliffite doctrines carried into Croatia by students returning from the University of Prague. As Sigismund was King of Hungary, the Compactata were supposed to cover the Hungarian Hussites, and were published in Hungarian as well as in Bohemian, German, and Latin. We have seen, however, how false he was to his Bohemian subjects, and those of Hungary he cheerfully abandoned to Rome. Six weeks after the signature of the Compactata at Iglau, on August 22, 1436, Eugenius commissioned the indefatigable persecutor, Frà Giacomo della Marca, as Inquisitor of Hungary and Austria. He was already on the ground, for in January of that year we catch a glimpse of him as present in the conference at Stuhlweissenberg. Frà Giacomo lost no time. Before the close of the year he had traversed Hungary from end to end, with merciless severity. The Archbishop of Gran, the Chapter of Kalocsa, the Bishop of Waradein, were loud in his praises. Their dioceses, they said, had been infected with heretics so numerous that a rising was anticipated which would have exceeded in horror the Bohemian wars, but this holy man had exterminated them. The numbers whom he put to death are not enumerated, but they must have been considerable from the expressions employed, and from the terror inspired, for his associates declared that in this expedition he had received the submission of fifty-five thousand converts. As the Bishop of Waradein rapturously declared, had the Apostle Paul accompanied him

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No. 1–4.—Raynald. ann. 1446, No. 3, 4; ann. 1447, No. 5–7.—Harduin. VIII. 1307–9.

The papal view of the permission to use the cup, as set forth by Pius II. (Æneas Sylvius) in 1464, was that it was only conceded to those accustomed to it until the Council of Basle should decide the question. Had this been observed those who used it would in time have died out, and it was an infraction of the agreement to give it to children and new communicants, through whom the custom was perpetuated.—Æn. Sylvii Epist. lxxi. (Opp. inedd. pp. 465).

he could not have effected more. Earnestly the Bishops of Csanad and Transylvania appealed to him to visit their dioceses, which abounded in heretics; and as the latter prelate speaks of the Hussites having penetrated to his bishopric from Moldavia, it shows how widely the heresy had been diffused through southeastern Europe.*

Suddenly, in 1437, Fra Giacomo's career was interrupted. He had crushed the Fraticelli of Italy, the wild Cathari of Bosnia, and the fiercer Hussites of Hungary, but when he attacked the orthodox concubinary priests of Fünfkirchen, and strove to force them to abandon the illicit partners who were universally kept, they proved too strong for even his iron will and seasoned nerves, backed though he was by the power of pope and kaiser and the awful authority of the Inquisition. They raised such a storm at this attempted invasion of their accustomed privileges that he was obliged to abandon his work and fly for his life. He appealed to Eugenius, and Eugenius to Sigismund. The latter wrote to Henry, the Bishop of Fünfkirchen, peremptorily ordering him to recall Giacomo and give him every aid, and also to Giacomo, assuring him of support. Thus assailed, Bishop Henry gave instructions that Giacomo should be supplied with all necessaries, but the attempt to enforce chastity on the priesthood seems to have been abandoned. The customary penalty in Hungary for such offences was five marks, and the synods of Gran in 1450 and 1480 complain that the archdeacons not only keep these fines for themselves, but encourage the criminals in order to derive profit from them; in fact, they issued in Hungary, as in many other places, licenses to sin, which may, perhaps, explain the indignation caused by Giacomo's interference and its lack of success.†

He appears to have meddled no longer with the private lives of the orthodox clergy, but to have devoted his energies to the easier work of exterminating heretics. Early in 1437 we hear of him south of the Danube, where the Bishop of Sreim praised his effective work; by putting to death all who could not be converted, he had saved the diocese from a rising of the Hussites, in which

* Loserth, Mittheilungen des Vereins für Gesch. der Deutschen in Böhmen, 1885, pp. 102–4, 107.—Wadding. ann. 1436, No. 1–11.—Ægid. Carlerii. Lib. de Legation. (Mon. Conc. Gen. Sæc. XV. T. I. p. 691).

† Wadding. ann. 1437, No. 6–12.—Synodd. Strigonens. ann. 1450, 1480 (Batthyani Legg. Eccles. Hung. III. 481, 557).

all the clergy would have been slain. Eugenius rewarded him by describing him as "a vigorous and most ruthless extirpator of heresy," and granting him the power of appointing subordinate inquisitors, thus rendering him an inquisitor-general in all the wide region confided to him. It was probably a result of the quarrel over the priestly concubines that led, in 1438, Simon of Bacska, Archdeacon of Fünfkirchen, to excommunicate him; but that official was speedily forced to withdraw the anathema by the Emperor Albert and the Archbishop of Gran. For a while his labors were interrupted by a call to attend the Council of Ferrara, held in 1438 by Eugenius IV., to offset the hostile assemblage at Basle, but he speedily returned to Hungary. It was doubtless owing to his efforts that in Poland the barons and cities entered into a solemn league and covenant to suppress heresy, April 25, 1438—just before Poland intervened in Bohemia to protect the Hussites from the Emperor Albert. In 1439 Giacomo's zeal received a check on the more immediate fields of his labors. In Sreim he delivered to the secular arm, as convicted heretics, a priest and three associates; their friends assembled in force, broke open the prison and carried off the culprits, and, what is difficult to understand, unless the heresy was merely concubinage, the Archbishop of Kalocsa, when appealed to, protected the criminals. Giacomo had recourse to the Emperor Albert, who wrote sharply to the archbishop in June; and this proving ineffectual, again in August. What was the result of the affair is not known, but Albert, as we have seen, died in October, to the great detriment of religion; and in 1440 Giacomo left Hungary on account of ill-health. He seems not to have been immediately replaced, and, in the absence of organized persecution, the tares speedily began to multiply again among the wheat. In January, 1444, Eugenius IV., deploring the spread of Hussitism throughout the Danubian regions, appointed the Observantine Vicar Fabiano of Bacs as inquisitor for the whole Slavonian vicariate, which included Hungary, with power to appoint inquisitors under him. These were authorized to act in complete independence of the local prelates; Holy Land indulgences were promised to all who would aid them, and excommunication, removable only by pope or inquisitor, against all withholding assistance. In July, 1446, Eugenius again alludes to the flourishing condition of Hussitism in Hungary and

Moldavia, in spite of the labors of the friars, and he recurs to the question which baffled Giacomo della Marca. Many parish priests, he says, in these regions not only keep concubines publicly, but teach that there is no sin in intercourse between unmarried persons; the question has been asked him whether this is heresy, justiciable by the Inquisition; this he answers in the affirmative, and authorizes Fabiano and his deputies to treat it as such. Apparently it was not the practice itself, but the justification of it, which was so heinous.*

If Rome was thus active in repressing Hussitism, and thus regardless of the Compactata while crippled by the quarrel with the fathers of Basle, it may readily be imagined that, after the abdication of Felix V. and the restoration of unquestioned supremacy, Nicholas V. was not disposed to respect the bargain made by the council or to regard the Calixtins in any light but that of heretics. It was in vain that the Bohemians proffered obedience if only the Compactata were confirmed, with a tacit condition that Rokyzana's claims to the archbishopric should be recognized. Ostensibly the sole difficulty in the way of reunion lay in the use of the cup by the laity and the communion of infants; save this there was by this time but little to distinguish the Calixtins from the rest of the Latin churches, although occasionally the question of the sequestrated church lands emerged into view. The papacy had taken its position, however, and it would have plunged all Christendom into war, as, in fact, it more than once attempted, rather than admit that the Council of Basle had been justified in purchasing peace by conceding communion in both elements. Behind this, however, was the question of Rokyzana's confirmation. Æneas Sylvius informs us that in 1451 he convinced George Podiebrad of the impossibility of effecting this, and secured a promise that the attempt should be abandoned, he pledging himself that if George would present the names of several suitable persons the pope would select one, and peace would then be established. This treated the Compactata as of minor importance, and was

* Wadding. ann. 1437, No. 13–21; ann. 1438, No. 12–16; ann. 1439, No. 41–6; ann. 1440, No. 7; ann. 1444, No. 44; ann. 1446, No. 10.—Herburt de Fulstin Statuta Regni Poloniæ, Samoscii, 1597, p. 192.—Raynald. ann. 1446, No. 10.—Theiner Monument. Slavor. Meridian. I. 394.

doubtless wholly unauthorized. Neither George nor Rokyzana gave up their hopes; the effort was renewed again and again, now with the pope, now with the Emperor Frederic III., and now with the German Diet, but all to no purpose. Occasionally when there was an object to be gained hopes would be held out, only to be withdrawn. The papal emissaries represented Rokyzana to Rome as the most wicked and perfidious of heresiarchs, whose recognition would be the destruction of what remained of Catholicism in Bohemia, and there never was the slightest idea of confirming him.*

When the overthrow of Mainhard of Rosenberg and the concentration of power in the hands of George Podiebrad showed that no further hopes were to be built on the Catholic party in Bohemia, Nicholas V. fell back upon the old methods and resolved to try what could be done by a missionary inquisitor. He had at hand an instrument admirably fitted for the work. Giovanni da Capistrano, vicar-general of the Observantine Franciscans, had commenced his career as an inquisitor in 1417; he was now in his sixty-sixth year, vigorous and implacable as ever. Small and insignificant in appearance, shrivelled by austerities until he seemed

* Æn. Sylvii. Epistt. 130, 246-7, 259, 404 (Ed. 1571, pp. 667, 782-3, 788, 947).—Wadding. ann. 1455, No. 2; ann. 1456, No. 11-12.

In George Podiebrad's letter of 1468 to his son-in-law Matthius Corvinus, complaining of his treatment by the Holy See, he says, "In truth there were formerly in Bohemia many errors concerning the sacrament, and also concerning the ornaments and vestments in administering the rite, and the veneration of saints, but by divine grace these have been so reduced that there is scarcely any difference now existing with the Roman Church. By comparing what was customary thirty or forty years ago with the present, it will be seen that little remains to do in comparison with what has been accomplished."—D'Achery Spicileg. III. 834.

A notable part of this retrogression occurred in 1454, when edicts were issued in the name of Ladislas, with the consent of Rokyzana, ordering that the epistles and gospels, in the canon of the mass, should be recited in Latin and not in the vulgar tongue; that confession should be a prerequisite to communion; that children should not receive communion without due preparation; that the blood of the Eucharist should not be carried beyond the churches for fear of accidents; that no one should administer it without letters authenticating his priesthood; that no marriage should be celebrated without banns published in full church.—Chron. Cornel. Zantfliet. ann. 1454 (Martene Ampl. Coll. V. 486-7).

to consist only of skin and bone and nerves, he rarely tasted meat and allowed himself but four hours of sleep out of the twenty-four, the remainder being all too few for his restless and indefatigable activity. His saintly and self-denying life had gained him enviable powers as a thaumaturge, and his reputation as a preacher drew crowds to listen to his eloquence. In 1451 he was busy in exterminating the Fraticelli, but he suspended his bloody work at the call of Nicholas to undertake the conversion of the Hussites. Nothing was omitted that could contribute to the dramatic effect of his mission. Before assuming it he sought the divine assent by consulting the Virgin at Assisi, when the heavenly light diffused around him was a sign that his apostolate was confirmed; he accepted the enlarged powers which extended his inquisitorial commission to the Bohemian territories, and set forth. Everywhere on his road multitudes assembled to see and listen to the man of God, and everywhere his miraculous powers manifested the authenticity of his mission. At Brescia he addressed an assembly computed at one hundred and twenty thousand souls, and, though walls and trees were broken down by the masses of men gathered thickly upon them, not a human being was injured. At the crossing of the River Sile, near Treviso, the party, with true Observantine austerity, had no money to pay ferriage, and the surly ferryman refused free transportation; but Capistrano quietly took the habit of San Bernardino, which he carried with him, laid it upon the waters, and they shrank away till all had passed dry-shod, when they resumed their former volume. Thus heralded, his way through Venice and Vienna was a triumphal progress; crowds of sixty thousand or one hundred thousand to hear him preach were common; men came from a distance of five hundred miles to listen to him; at Vienna three hundred thousand were reckoned present; the sick were brought before him in thousands, and the miraculous cures which he wrought were computed by hundreds. The ecclesiastical machinery was evidently well-devised and effectively worked, and the desired impression was produced.*

In vain the emperor asked permission for him to visit Prague. Podiebrad and Rokyzana refused it peremptorily, and Capistrano's zeal for martyrdom was not sufficient to prompt him to disregard

* Wadding. ann. 1451, No. 1–16; ann. 1452, No. 34.

their wishes. Furnished with imperial letters to the Catholic nobles and to their leader, Ulric Mainhard of Rosenberg, he turned in July to the safer region of Moravia, where presumably the influence of Podiebrad and Rokyzana was not so strong. Here his career indicates how little foundation there was for the persistent Catholic complaints of the proscriptive intolerance of the Calixtins. Though on Bohemian territory, Catholic and Hussite seem to have been dwelling together in mutual harmony; the Bishop of Olmütz was a Catholic, and no hindrance seems to have been experienced by Capistrano in his labors for the conversion of the so-called heretics. Beginning at Brünn, August 1, 1451, there is a register containing names and dates of more than eleven thousand conversions made by him up to May, 1452. Yet at the same time he was restricted to persuasion, and was not allowed to use inquisitorial methods. As his converts were voluntary, he smoothed the path of the repentant heretic, reconciling him to the Church with only the infliction of a salutary penance, and allowing him to retain all his possessions and dignities. Where the heretic was hardened, he was powerless, except through such miraculous power as he could wield. The situation was an anomalous one—unexampled, in fact, in the Middle Ages—of heretic and Catholic dwelling together in peace, the heretic in the ascendant, yet not only tolerating the Catholic, but allowing a man like Capistrano to wander through the land denouncing heretics and making conversions unmolested. To Capistrano the position was irritating in the extreme, insomuch as he was limited to the arts of persuasion, and was unable to enforce his arguments with the dungeon and the stake. This peculiar state of things is well illustrated by an adventure related of him at Breslau. Though Silesia had a Catholic bishop, it belonged to Bohemia, and mutual tolerance was established. In the summer of 1453 Capistrano came there and labored to convert the Hussites, but these sons of Belial, to ridicule his miraculous powers, placed a young man in a bier, carried him to where the inquisitor was preaching, and asked the latter to resuscitate the dead. Capistrano sternly replied, "Let him have his portion with the dead in eternity!" and went his way. Then the heretics said to the crowd, "We have holier men among us;" and one of them went to the coffin, calling to its inmate, "Peter, arise!" and then whispering, "It is time to get up;" but there

was no response, and the unfortunate youth was found to be really dead. Yet at this very time Capistrano had no difficulty in exercising his inquisitorial office pitilessly when the victims were unfortunate Jews. A country priest was said to have sold them eight consecrated hosts for use in their infernal rites. Capistrano seized those implicated, tortured them to confession, and burned them, while a woman who was implicated was torn with red-hot pincers. An old Jewess embraced Christianity, and soon afterwards was slain. The Jews were accused of the murder, and also of that of a Christian boy. Capistrano made another onslaught on them, and this time burned no less than forty-one. It is easy to gather from this incident what would have been the fate of the Hussites had he been able to wreak his will on them. Those of Moldavia and Poland, whither he despatched three of his associate inquisitors under Ladislas the Hungarian, probably felt the full rigor of the canons.*

During all this the Calixtin leaders had not been wholly indifferent. At the commencement of Capistrano's mission Rokyzana wrote to him in a friendly tone, remonstrating with him for condemning as a heresy the communion in both elements, which the Council of Basle had permitted to the Bohemians. Some correspondence ensued, in which Capistrano took high ground as to the use of the cup and the papal supremacy; there were negotiations for a conference, and at one time hopes were entertained of an accommodation. Capistrano, however, skilfully eluded a disputation on various pretexts, but really, as we learn from his confidential letter to the cardinal-legate, Nicholas of Cusa, because he knew that the Calixtins had on their side the weight of authority and tradition. Both parties gradually lost their temper and published against each other letters filled with scurrility. Having thus rendered amicable negotiations impossible, Capistrano could safely, in 1452, ask Podiebrad for a safe-conduct to Prague, and on its refusal summon him to render the aid and service due to him as apostolic commissioner and inquisitor.†

When the German princes assembled in the Diet of 1452, the

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* Wadding. ann. 1451, No. 17–20; ann. 1452, No. 18, 26; ann. 1453, No. 2–8.

† Wadding. ann. 1451, No. 24–36; ann. 1452, No. 1, 12.—Sommersberg Silesiac. Rer. Scriptt. I. 84–5.—Cochlæi Hist. Hussit. Lib. x. ann. 1451.

Bohemians addressed them, complaining that although they were living in peace and obedience to the Holy See, the provisions of the Compactata, which declared that no one should be stigmatized as a heretic for partaking in both elements, were violated by a friar named Capistrano, who, under the guise of an apostolic commissioner and inquisitor, was traversing their territories proclaiming that all Utraquists were heretics. The agreement which had cost so much blood was thus plainly infringed, and, notwithstanding their desire for peace, a persistence in this would revive all the old troubles. This was significant of strife, and Capistrano, on his side, was eagerly engaged in stimulating it. He wrote to the pope that certain propositions of accommodation entertained by the cardinal-legate were disgraceful, and spoke hopefully of negotiations which he was carrying on with the German princes for a new crusade against the Hussites. Nicholas of Cusa was effectually snubbed for daring to talk of conferences and terms of accommodation. He promptly threw himself on the other side and contributed his share towards provoking a fresh conflict, by issuing, in June, 1452, an encyclical to the Bohemians, in which he plainly told them that those who were not with the Church must be against it; that the Compactata must be thrown aside, as they had not effected the union for which they were designed, and that nothing save pure and simple obedience to the Holy See could be entertained. To render the irritation complete needed only the exquisite insolence with which he assured them that the Church was too pious a mother to concede to her children what she knew to be injurious.*

Capistrano's busy mischief-making was bearing its fruits. The breach between Rome and Bohemia was constantly widening, and if the zeal of the German princes could be brought to correspond to the ardor of the missionary of strife, the horrors of the old Hussite wars might be hopefully looked for again. During the remainder of the year 1452 we find him travelling through Germany, probably with this charitable object, though at Leipsic he paused long enough for his eloquence to win for his rigid Order sixty professors and students.† His efforts to raise a crusade

* Wadding. ann. 1452, No. 2-4, 13-14.—Cochlæi Hist. Hussit. Lib. XI. ann. 1452.

† Chron. Glassberger ann. 1452.

against Bohemia, however, were frustrated by the capture of Constantinople in May, 1453. The immense impression which this produced throughout Christendom, the universal alarm at the progress of the Turk, and the necessity of defending Europe against his approach, speedily threw into the shade all minor questions. A new crusade was imperatively wanted, but it could not be wasted upon Bohemia and the Utraquists.

During the summer of 1453, as we have seen, Capistrano was tranquilly employing his enforced leisure in burning Jews at Breslau. Thence he went to Poland, where we find him at Cracow throwing into prison a physician, Master Paul, whom he suspected of being an emissary of Rokyzana. He applied again to Podiebrad for a safe-conduct to Prague, which was curtly refused on the ground that when it had been previously offered it had not been accepted, and that Ladislas did not want the peace of his kingdom disturbed. He left Cracow May 15, 1454, for Breslau and Olmütz, whence he still hoped to accomplish something within the charmed circle of Bohemia, into which he had not been allowed to penetrate. Rokyzana at this time was inspired with hopes that the terror of the Turk and the need for Christian unity would enable him to realize his dream of the archbishopric. He made the large concessions alluded to above on many of the points of dissidence, and used every effort with the emperor to procure through him the papal confirmation. A letter from Ladislas, of June 13, to the Bishop of Olmütz, asking him to restrain Capistrano from using such violent terms in denouncing Bohemians, as he was doing more harm than good, was evidently a move in the same game. Yet even the paramount interests of Christendom could not win for Rokyzana the coveted confirmation, although those interests soon diverted Capistrano's fiery energies from the heretic to the infidel.*

A brief and clear-cut letter of Æneas Sylvius to Capistrano, dated July 26, 1454, tells him to give up the dream of getting to Prague and go to Frankfort, where he will be useful. An assembly of princes had been held in Ratisbon, where a crusade had

* Wadding. ann. 1453, No. 9–10; ann. 1254, No. 12–13, 17–19.—Chron. Cornel. Zantfliet (Martene Ampl. Coll. V. 486–7).—Æn. Sylvii Epist. 404 (Ed. 1571, p. 947).

been agreed upon, and Philip of Burgundy had consented to lead it. Final arrangements were to be made in Frankfort in October, and there Æneas Sylvius wanted the aid of Capistrano's tireless ardor. Their correspondence at this juncture shows the terror which existed lest Europe should be overrun; the confusion and uncertainty which prevailed, and the selfish differences which threatened to neutralize effort. At Frankfort their worst fears were realized. The zeal of the princes had cooled, and they declared the purpose of the pope and emperor was to steal their money and not to fight. They demanded that the business should be conducted by a general council which should at the same time repress the Holy See—in fact, both parties were selfishly endeavoring to turn the agony of Europe to account; the pope to raise money, and the princes to recover their independence. All that Æneas and Capistrano could obtain was a promise that at the Pentecost of 1455 they would meet the emperor and determine what could be done. In February and March, 1455, they began to assemble at Neuburg, near Vienna, where Podiebrad again used every effort to procure Rokyzana's confirmation. As for the crusade, the energies of Christendom seemed paralyzed by the petty jealousies and ambitions of its rulers. At last, under the unflagging eloquence of Æneas and Capistrano, things appeared to be taking shape, when the news was received of the death of Nicholas V. on March 22. Everything fell to pieces, and the princes departed, postponing action until the next year. It was a forcible example of the utility of the papacy, which supplied a common head to the discordant forces of the time.*

Capistrano's impetuous energies were now fairly enlisted in the strife with the Turk, and the Hussites had a respite. In fact, the situation was too alarming to permit of their persecution, and it is a remarkable instance of the unbending rigidity of Rome, that even in this perilous juncture the overtures and concessions of Podiebrad and Rokyzana availed them nothing.

Calixtus III. was elected April 8, with a speed which showed how dangerous a papal interregnum was considered. He at once

* Wadding. ann. 1254, No. 7–12; ann. 1255, No. 2–7.—Æn. Sylv. Epist. 405 (p. 947). — Ejusd. Epistt. xxxix.-xliii., xlvi., lviii., lx. (Opp. inedd. pp. 415–24, 426–9, 440–1, 448).

sent legates to preach the crusade throughout Europe, and commenced to build war-ships on the Tiber. The Hungarians, who were justly excited at the impending invasion of Mahomet II. begged Capistrano to come to them and use his eloquence. Calixtus gave him permission, confirmed all the powers conferred on him by Nicholas, and he undertook the task which was to complete his life's work. Yet even these new duties, which wrought his fiery soul to a higher tension than ever, did not wholly distract his attention from the hated Hussites. The juncture seemed favorable for a reconciliation, which every motive of policy dictated. Besides, Æneas Sylvius had just been promoted to the cardinalate, and that crafty diplomat had succeeded in making the Bohemians look upon him as their friend. They not only hoped to obtain the confirmation of the Compactata, but the cardinal's hat for Rokyzana. Hearing of this, Capistrano wrote, March 24, 1456, from Buda to Calixtus dissuading him in the most vigorous terms. The Hussites are the worst of mankind, fearing neither God nor man; the heart can scarce conceive the errors which they believe, or the abominations which they practise in secret. The Compactata are their sole bulwark; if these are confirmed, the Hussites, who abound secretly, not only in Bohemia but in Hungary, Transylvania, Moldavia, and the neighboring regions, will rise and declare themselves. The warning was sufficient and the overtures were rejected.*

Suddenly the news came that the dreaded Mahomet II. was advancing, and had laid siege to Belgrade. Ladislas, who was King of Hungary as well as of Bohemia, was at Buda-Pesth, and with his uncle, the Count of Cillei, on pretext of a hunting-excursion, basely fled to Austria. John Hunyady, Count of Transylvania, who had been regent of the kingdom, organized the Hungarian forces, with some German crusaders who had come to his assistance, while Capistrano marched with him as papal commander of the crusade. Glorious in the annals of Hungary is the victory of Belgrade. With a flotilla of boats on the Danube, Hunyady, on July 14, 1456, cut his way into the town through the beleaguering forces. Furious were the attack and the defence until the 22d, when a fierce assault by the Turks was repulsed, and the be-

* Wadding. ann. 1455, No. 8–13; ann. 1456, No. 9–12.

sieged followed the retreating enemy, burned one of their camps, spiking some of their cannon and carrying the rest back into the town, where they did good service during the rest of that memorable day. Mahomet gathered together his forces for a last desperate attempt, which was a failure, and during the night he fled, leaving twenty-four thousand men upon the field, and three hundred cannon. His army was utterly dispersed, and this disaster, aided by the heroic resistance of Scanderbeg in Albania, arrested the Turkish invasion and gave Europe a breathing-spell. It cost, however, the lives of the two heroes to whom it was due. The stench of the dead bodies sickened the army of the victors, and John Hunyady fell a victim, August 11, to the epidemic, which prevented the following up of the advantage. Capistrano had thrown himself into the work with all his self-forgetful enthusiasm. His eloquence had wrought the Christians up to the highest pitch of religious exaltation; the crusaders would obey no one but him, and his labors were incessant. He passed days without time for food, and nights without rest; for seventeen days, it is said, before the victory, he slept but seven hours in all. He was in his seventy-first year, with a frame weakened by habitual austerities, and when the strain was past exhausted nature paid the penalty. A slow fever set in, August 6, under which he wasted away, and died, October 23. He was perhaps the most perfect type which the age produced of the ideal son of the Church; a purely artificial creation, in which the weakness of humanity disappeared with some of its virtues, and the whole nature, with its rare powers, was concentrated in unselfish devotion to a mistaken purpose. Such men are the tools of the worldly and unscrupulous who know how to use them, and for forty years Capistrano had been thus employed to bring misery on his fellow-beings, unconscious of the evil which he wrought. Yet, as Æneas Sylvius shrewdly points out, there was one weak spot left in his nature. In the letters in which he and Hunyady described the victory of Belgrade neither chief gave credit to the other. As Æneas says, "Capistrano had despised the pomps of the world, he had fled from its delights, he had trampled down avarice, he had overcome lust, but he could not contemn glory."*

* Wadding. ann. 1456, No. 16-67, 83-4.—Æn. Sylv. Hist. Bohem. cap. lxv. Six several attempts were made, at various times, to canonize Capistrano,

No one could be found worthy to replace Capistrano but his friendly rival, Giacomo della Marca, who was accordingly despatched, in 1457, to the scene of his labors of twenty years previous, armed with the same powers, as inquisitor and crusader. The danger from the Turk was still too pressing for him to waste thought on the former function, and he devoted himself to stimulating and organizing the war against the Moslem until his health gave way, and he returned to Italy, where, as we have seen, he not long afterwards had to defend himself from a charge of heresy brought by his zealous Dominican brethren. He was replaced by his disciples, Giovanni da Tagliacozza and Michele da Tussicino, who were followed in 1461 by Frà Gabriele da Verona; but though Franciscans still continued for a generation to labor for the conversion of the Calixtins, they had little success in the absence of power to employ the customary inquisitorial methods, of which more hereafter.*

In fact, the prospects of reducing Bohemia to obedience were steadily diminishing. In the wildest uproar of the Hussite wars

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but the fates were against it. The earlier efforts were neutralized by the opposition of the legate, Nicholas of Cusa, and the jealousy of the rival orders of Dominicans and Conventual Franciscans. Repeated requests came from Germany, but they remained unheeded. In 1462 urgent letters were written by Frederic III., the Margrave of Brandenburg, and innumerable bishops and magistrates of cities from Cracow to Ratisbon; these were intrusted to a Franciscan friar to take to Rome, but he died on the road, and confided them to a knight of Assisi. The latter brought them to his home, and then departed for Germany, where he died. The trunk containing them was piously preserved by his descendants until, towards the middle of the seventeenth century, Wadding chanced to see it, and took the letters to Rome, in the hopes of their still accomplishing their object. At the inquest held by Leo X. a classified record of the miracles wrought by the thaumaturge shows, of dead brought to life, more than thirty; of deaf made to hear, three hundred and seventy; of blind restored to sight, one hundred and twenty-three; of cripples and gouty persons cured, nine hundred and twenty, and miscellaneous cases innumerable. This resulted in his admission to the inferior order of the Blessed, to be worshipped by the Franciscans of the diocese of Capistrano. In 1622 Gregory XV. enlarged his cult to the whole Franciscan Order; and in 1690 Alexander VIII. enrolled him in the calendar of saints.—Wadding. ann. 1456, No. 114–22; ann. 1462, No. 29–78.—Weizfäcker, ap. Herzog's Real Encyklop. s. v.

* Wadding. ann. 1457, No. 5, 10; ann. 1461, No. 1–2; ann. 1465, No. 6; ann. 1467, No. 5.

there were powerful barons and cities who steadily held out for the pope and kaiser, and under the interregnum there had at first been a dual government, shared equally by Catholic and Calixtin. Under the firm hand of George Podiebrad the orthodox communities submitted one by one, and in spiritual matters Rokyzana was supreme. It is true that there was now little to distinguish the churches in doctrine or practice save the use of the cup; but independence served as a protection against the greed of the Roman curia, and there was small encouragement for a surrender of this independence in the clamor which was now going up from Germany. The Basilian regulations, confirmed by Eugenius, had for a time served as a safeguard to some extent, but now these were coolly treated as obsolete, and complaints were loud that all the old abuses were flourishing as vigorously as ever. Elections were set aside, or heavy sums were extorted for their confirmation, while the country was drained of money by the exaction of tenths and the sale of indulgences. Secure in their isolation, the Bohemians might well submit to some inconvenience to be spared the costly blessing of apostolic paternal care. The only hope of Rome lay in the approaching majority of the Catholic youth Ladislas; but when, on the eve of his marriage with the daughter of Charles VII. of France, he suddenly died, towards the close of 1457, not without suspicions of foul play, and George Podiebrad soon afterwards was elected and crowned, it might well seem that, short of Divine interposition, the peaceful return of Bohemia was not to be looked for.*

Yet at first it looked as though an accommodation might be reached. Ladislas, shortly before his death, had proposed to send an embassy to Rome for the purpose of effecting a reconciliation, and Calixtus III. had asked of Podiebrad to gratify his vehement desire of seeing Rokyzana, whose high reputation was well known in Rome. Podiebrad, moreover, caused himself to be crowned according to the Roman rite; having no bishop of his own, he

* Æn. Sylvii Epist. 162. 324, 334–5, 337–40, 356, 369, 387 (Ed. 1571, pp. 714, 815, 821–22, 825, 831, 837, 840).—Ejusd. Hist. Bohem. c. 71–2.

Pius II. did not hesitate to publish to Christendom a positive assertion that George poisoned Ladislas, and said that, though the facts were obscure, the Viennese physicians in attendance attributed his death to poison.—Æn. Sylv. Epist. lxxi. (Opp. inedd. p. 467).

borrowed from his son-in-law, Matthias Corvinus of Hungary, those of Raab and Bacs, to perform his consecration; in his coronation oath he swore obedience to Calixtus and his successors, to restore the Catholic religion, and to persecute heretics; he wrote to Calixtus as a faithful son of the Church, and obtained from him letters recognizing him as King of Bohemia; he sent envoys to Rome, who held out promises that Rokyzana would follow, and settle on a lasting basis the submission of Bohemia. All this was mere skirmishing for position; but when, a few months later, Calixtus died, and was succeeded by Æneas Sylvius, who took the name of Pius II., men might hope that some reasonable accommodation could be reached. Since he had gone to Basle in the suite of Cardinal Capranica, and had become the mouth piece of the anti-papal party, influenced, as he himself says, by cupidity rather than by truth, and inspired by the hostility to the Church usually felt by the laity, the new pope had been occupied almost exclusively with German and Bohemian affairs, which he knew better than any living man; he had taken part in the negotiations resulting in the Compactata; he was shrewd, clear-headed, and troubled with few scruples, and, sharing fully in the papal anxiety to unite Christendom against the Turks, he might be expected to recognize the vital importance of reconciliation with Bohemia. George made haste to send an embassy to renew his protestations of obedience, and to ask for the confirmation of the Compactata. Pius, who took no shame in issuing a solemn bull condemning and disavowing all his early opinions uttered during his service with the council, was prepared to break with his own traditions rather than with those of his predecessors. He gave a dubious response; George could win his recognition as king by extirpating heresy, and he promised to send legates. They came, but the pope, although he addressed George as king and as his dearest son when soliciting his co-operation in the crusade, shortly afterwards took a step which, with his knowledge of Bohemia, he knew could not but provoke a rupture. Wenceslas, Dean of Prague, was a Catholic, and a bitter enemy of Rokyzana, and this man Pius appointed as administrator of the archbishopric, thus ousting Rokyzana. All at once was in uproar. Wenceslas endeavored to assert himself, but the power remained in Rokyzana's hands. George threw into prison Fantinus, who had been his procurator in the curia, and

who had been sent with a commission as papal orator, and detained him there for three months. Frederic III., whom George, by a stroke of happy audacity, had recently liberated from a siege by his rebellious subjects in the castle of Vienna, interposed, and delayed the explosion of the papal wrath; but to his earnest request that George should be acknowledged as king Pius returned an absolute refusal. George was a heretic, incapable of the crown, and his subjects' oaths of allegiance were void; only by returning to the Church could he hope to be fitted for the royal dignity. In June, 1464, Pius, in full consistory, published a bull reciting all the griefs of the Church against Bohemia, pronouncing the Compactata void, as never having been confirmed by the Holy See, and summoning George before him to stand trial for heresy within three terms of sixty days each. In two months Pius was dead, but his successor, Paul II., carried forward the proceedings with the old inquisitorial weapons. Three cardinals were appointed in 1465 to try George as a relapsed heretic, and summoned him in August, as a private person, to appear before them within six months for judgment. Without waiting for the expiration of the term, early in December, Paul issued a bull absolving all George's subjects from their allegiance, alleging as a reason for haste that the sentence would grow more difficult by delay. The papal wrath increased with the obstinacy of the assumed heretic. In 1468 another summons was issued to him to appear before the cardinals for judgment; and in February, 1469, his name was placed as that son of perdition, the Hussite George Podiebrad, together with those of Rokyzana and Gregory of Heimburg, in the curse of the Cæna Domini, to be anathematized thrice a year, in the solemnities of the mass, in all cathedrals, both in Latin and in the vernacular.*

All this was not a mere *brutum fulmen.* It was not difficult

* Æn. Sylvii Hist. Bohem. c. 69.—Ejusd. Epist. lxxi. (Opp. inedd. pp. 461–70).—Ejusd. Tractatus (Ib. pp. 566, 581).—Raynald. ann. 1457, No. 69; ann. 1458, No. 20–8; ann. 1459, No. 18–23; ann. 1463, No. 96–102.—Cochlæi Hist. Lib. XII.—Dubrav. Hist. Bohem. Lib. 30.—Wadding. ann. 1462, No. 87.—Pii PP. II. Bull. *In minoribus.* — Sommersberg Silesiac. Rer. Scriptt. II. 1025–6, 1031. — Wadding. ann. 1456, No. 12; ann. 1469, No. 4, 6. — Ludewig Reliq. MSS. VI. 61. — Martene Ampl. Coll. I. 1598–9. — D'Achery Spicileg. III. 830–4. —Ripoll III. 466.

to excite rebellion among turbulent subjects and attacks from ambitious neighbors. With all his vigor and capacity George found the maintenance of his position by no means easy. When, in 1468, the German princes had agreed upon a five years' truce in order to concentrate their energies against the Moslem, Paul II. threw the empire into confusion by sending the Bishop of Ferrara to preach a crusade with plenary indulgences against Bohemia, adding the special favor that all who joined in the preaching should have the privilege of choosing a confessor, and receiving from him plenary absolution and indulgence. The kingdom was bestowed upon Matthias Corvinus of Hungary, who took the cross, and with an army of crusaders occupied Moravia. A long war ensued, during which George died, in 1471, released from excommunication on his death-bed, and Ladislas II., son of Casimir of Poland, was elected as his successor. In 1475 the rivals came to terms; both were recognized as kings of Bohemia, while Matthias was to have for life Moravia, Silesia, and the greater part of Lusatia, and the survivor was to enjoy the whole kingdom. On the death of Matthias, in 1490, Ladislas recovered the three provinces, and shortly afterwards added Hungary to his dominions.*

Ladislas was a good Catholic, and Sixtus IV., who had aided in his election, hoped that the opportunity had at last arrived to break down the stubbornness of the Calixtins. The king made the attempt, but bloody tumults in Prague, which nearly cost him his life, showed that, slight as was the difference between Catholic and Utraquist, the old fanaticism for the cup survived. At length, in 1485, at the Diet of Kuttenberg, mutual toleration was agreed upon, and Ladislas, who was of easy disposition, ran no further risks. Thus the anomalous position of Bohemia, as a member of Latin Christendom, became more remarkable than ever. The great majority of the people were Calixtins and therefore heretics, but the Church had to abandon the attempt to coerce them to salvation. Missionary inquisitors were commissioned from time to time, but practically their efforts were limited to persuasion and controversy. Even Pius II., in 1463, felt obliged to caution Zeger, the Observantine Vicar-general, that his breth-

* Raynald. ann. 1468, No. 1–14.—Chron. Glassberger ann. 1468.—Dubrav. Hist. Bohem. Libb. XXX.–XXXI.—Cochlæi Hist. Hussit. Lib. XII. ann. 1471.

ren, in dealing with heretics, should restrain their zeal from the customary curses and insults, and should try the effect of gentleness and argument. That these missionaries were mostly Franciscans perhaps explains why the toleration accorded to Catholics could not be enforced against the popular prejudices of which the Order was the object. Even George Podiebrad, in 1460, had permitted the Franciscans to return to Prague, but their zeal was not to be restrained, and they were expelled in 1468. Under Ladislas they came again, in 1482, but in the disturbances of the following year they were glad to escape, their house was levelled to the ground, and was not rebuilt until 1629. From time to time other communities were founded at Hradecz, Glatz, and Neisse, but they were short-lived, and were speedily destroyed by the fanaticism of the people. As the invention of printing facilitated controversy, polemical zeal multiplied treatises to prove the iniquity of the Utraquist heresy, but the Utraquists were not to be converted. They maintained the Compactata as the charter of their religious independence. When, in 1526, King Louis fell in the disastrous day of Mohacz, and the House of Austria, in the person of Ferdinand I., obtained the Bohemian throne, good Catholic though Ferdinand was, he was obliged to pledge himself to preserve the Compactata.*

It is not to be imagined that the teachings of Wickliff and Huss were wholly forgotten in Utraquist degeneracy. Their real inheritors were the Taborites, and although these, in their disorderly enthusiasm, vainly contended against the spirit of the age and disappeared from sight under the strong hand of Podiebrad, the seed which they had nurtured was not wholly lost. The profound religious convictions which animated these poor and simple folk are visible through the satire with which Æneas Sylvius requited their hospitality in 1451, on the eve of their suppression. Travelling with some nobles, on a mission from Frederic III., he was be-

* Wadding. ann. 1460, No. 55; ann. 1462, No. 87; ann. 1471, No. 5; ann. 1475, No. 28, 37–9; ann. 1489, No. 21; ann. 1491, No. 8, 78. — Chron. Glassberger ann. 1463, 1466, 1479, 1483. — Dubrav. Hist. Bohem. Lib. xxxi. — De Schweinitz, Hist. of Unitas Fratrum, p. 168. — Camerarii Hist. Frat. Orthod. pp. 72–3. — Georgisch Regest. Chron. Diplom. III. 158.

nighted near Mount Tabor, and thought it safer to trust himself with the enemies of his faith than to pass the hours of darkness in the open villages. In return for the simple kindliness of his reception the polished scholar and courtier describes them with the liveliest ridicule, and with brutal sneers at their poverty. They were mostly peasants, and as they came forth to greet him in the cold and rain, many were almost naked, having nothing but a shirt or a sheepskin to protect them; one had no saddle, another no reins, another no spurs; this one had lost an eye, that one an arm. Ziska was their patron saint, whose portrait was painted on the city gates. Though they ridiculed the consecration of churches, they were very earnest in listening to the word of God, and if any one was too busy or too lazy to go to the wooden house where they assembled for preaching he was compelled by stripes. Though they paid no tithes, they filled their priests' houses with corn, beer, wood, vegetables, meat, and all the necessaries of life. Firm as they were in defence of their religious independence, they were not intolerant, and wide diversity of opinion was allowed among them.*

When such men as these were driven forth and scattered among the people they were much more likely to make converts than to be converted, and though lost to sight they were assuredly not false to their convictions. The reactionary course of Rokyzana and Podiebrad during the succeeding years could hardly fail to provoke discontent among the more earnest even of the Calixtins and to furnish fresh disciples and teachers. Materials existed for a sect representing the doctrines which, a generation earlier, had set Bohemia aflame; and although when that sect timidly appeared it prudently and sedulously disavowed all affiliation with the hated and dreaded Taborites, there can be no doubt that it was, to a great extent, composed of the same elements.

These new sectaries first present themselves in an organized form in 1457. Earnest, humble Christians, who sought to carry out the doctrines of Jesus, they differed from the Taborites in a yet closer approach to Waldensianism, due probably to the influence of Peter Chelcicky, who, without belonging to them, was yet to some extent their teacher. Like the Waldenses, they rejected

* Æn. Sylvii Epist. 130 (Ed. 1571 pp. 661-2).

the oath and the sword—nothing would justify the taking of human life, and consequently they were non-resistants. Since the time of Constantine and Silvester the Roman Church had gone astray in the pursuit of wealth and worldly power. The sacraments were worthless in polluted hands. Priests might hear confessions and impose penances, but they could not absolve; they could only announce the forgiveness of God. Purgatory was a myth invented by cunning priests. As for the mystery of the Eucharist, they prudently adopted the formula of Peter Chelcicky, which eluded the difficulty by affirming that the believer receives the body and blood of Christ, without pretending to explain or daring to discuss the matter. They ridiculed the superstition of the Calixtins, which exaggerated in the absurdest fashion the sanctity of the Eucharist, which carried the sacrament through the streets for adoration, and which held that he whose eye chanced to fall on it was safe from evil happening for that day; and they sometimes incurred martyrdom by publicly reproving the fanatic zeal which regarded the Eucharist as the holiest of idols. On this basis was founded the brotherhood of love and charity, of patient endurance and meekness, which represented more nearly the Christian ideal than anything the world had seen for thirteen centuries. With extreme simplicity of life there was no exaggeration of asceticism. Heaven was not to be stormed by mortification of the flesh, but was to be won by the sedulous discharge of the duties imposed on man by his Creator, in humble obedience to the divine will, and in pious reliance on Christ. Such was the "Unitas Fratrum"—the Bohemian or Moravian Brotherhood—and that a society thus defenceless and unresisting should endure the savage vicissitudes of that transitional period, and maintain itself through four hundred years to the present time, shows that force is not necessarily the last word in human affairs, and that average human nature is capable of a higher moral development than it has been permitted to reach under prevailing influences, secular and spiritual.*

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* Goll, Quellen u. Untersuchungen, I. 10, 32–33, 92, 99; II. 72, 87–88, 94.—De Schweinitz, Hist. of Unitas Fratrum, pp. 111–12, 159, 204–5.—Von Zezschwitz, Real-Encyklop. II. 652–3.—Hist. Persecutionum pp. 58–60, 90.—Palacky, Die Beziehungen der Waldenser, pp. 32–33.—Camerarii Hist. Frat. Orthod. pp. 59–66.—

At first they seem to have enjoyed the favor of Rokyzana, whose doctrines they claimed to follow, and whose nephew Gregory was one of their earliest leaders, along with Michael, priest of Zamberg. Rokyzana's fluctuating policy, as the archbishopric seemed to approach or recede, soon led him to hold aloof, and when they drew apart from the Calixtins and organized themselves as a separate body he had no objection to see them persecuted. In vain they declared that they were neither Waldenses nor Taborites—the one was a word of bitter reproach, the other a terror. When, about 1461, Gregory, with a few companions, ventured secretly to Prague, they were betrayed as conspiring Taborites and put to the torture. It shows their state of religious exaltation that Gregory swooned on the rack and had a beatific vision. It may be put to the credit of Rokyzana that when he saw his nephew insensible from the torture he burst into tears, exclaiming, "O my Gregory, I would I were where thou art!" and that he soon afterwards obtained from Podiebrad permission for them to settle at Liticz. Here they prospered amid alternate peace and persecution, their numbers rapidly increasing.*

In retaining all the sacraments they retained belief in the necessity of apostolical succession for that of ordination; but as the sacraments were vitiated in unworthy hands, they became oppressed with misgivings as to the efficacy of the sacerdotal character of their priests, derived as it was through the Church of Rome. Some of them proposed sending to the legendary Christians of India, but they met with two men who had been in the East, and the accounts they received of the Oriental churches satisfied them that the succession there had been lost. Then they bethought them of the Greeks, but they met some Greeks in

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For the Calixtin views on the Eucharist see the treatises of Rokyzana and of John of Przibram in Cochlæi Hist. Hussit. pp. 474, 508; also the latter's articles against Peter Payne (Ib. 230).

When the Brethren undertook to explain their views on the Eucharist they become somewhat difficult to understand. The bread and wine became the body and blood, and they would have believed it had the bread been stone, but still the substance remained, and Christ was not present.—Fascic. Rer. Expetend. et Fugiend. I. 165, 170, 174, 183, 185.

* Camerarii Hist. Frat. Orthod. pp. 84–9. —Hist. Persecut. p. 65. —Von Zezschwitz, l. c. p. 653–4.

Prague, and many Bohemians had been in the Levant and Danubian provinces, from whom they learned that fees were required for ordination, thus rendering it void through simony; moreover, they heard of three Bohemians who had been ordained without inquiry as to their morals, which satisfied them that no true ordination was to be obtained there. Finally they turned to the Waldenses, of whom there was a community on the Austrian border. These claimed to descend from the primitive Church; that their ancestors had separated from Rome when the papacy was secularized under Silvester by the donation of Constantine, and that they had preserved the apostolic succession untainted. It remained for the brethren to see whether it was the will of God that they should organize themselves by means of these Waldenses. At Lhotka, in 1467, an assembly of about sixty chosen deputies was held. After fasting and earnest prayer, recourse was had to the lot, to decide whether they should separate themselves from the Roman priesthood. The result was affirmative. Then they selected nine men, from among whom three or two or one should be drawn, or none, if God so willed it. Twelve cards were taken, on three of which was written "is," and on nine "is not." These were mingled together, and a youth was directed to distribute nine of them among the men selected. All three with "is" proved to have been distributed, and the assembly devoutly thanked God for showing them the path to follow. Michael of Zamberg was sent to the Waldensian Bishop Stephen, who investigated his faith and life, and thanked God, with tears, that it had been vouchsafed him before he died to see such pious men. After episcopal consecration Michael returned; careful inquiry was made as to the antecedents of one of the three elect, named Matthias, and he was duly consecrated as bishop by Michael, who thereupon laid down both his Waldensian episcopate and Catholic priesthood, and was again ordained anew by Matthias.*

* Wie sich die Menschen u. s. w. (Goll, II. 99–100).—Das Buch der Prager Magister (Ib. 104–5).

The Calixtins had the same trouble about the apostolic succession. A letter from the Church of Constantinople, in 1451, warmly urging union, and offering to supply spiritual pastors, shows that overtures had been made to the Greek Church to remove the difficulty; but apparently the Bohemians were not prepared to cut loose definitely from Catholicism (Flac. Illyr. Catal. Test. Veritatis, Lib. XIX.

Thus all connection with Rome was sundered, and intimate relations were established with the Waldenses. Mutual sympathy and the identity of their faith drew the two sects together, although the austere virtue of the Brethren reproached the older heretics with concealing their faith by attending Catholic mass, with accumulating wealth, and with neglecting the poor. The Waldenses took the reproof kindly, promised amendment, and in a short time the two sects united and formed one body. Although the official name remained the "Unity of the Brethren," gradually the despised term of Waldenses came to be recognized, and was freely used by the body to designate themselves, in their confessions of faith and apologetic tracts. I have already alluded to the mission which was sent in 1498 to the Brethren of Italy and France, and to the increased spirit of vigor and independence which the old Alpine communities drew from the resolute steadfastness of their new associates.*

Gregory had moulded the Church of the Brethren on the strictest basis. Members on entering were not, it is true, obliged to contribute their property to the common fund, but this was frequently done. The closest watch was kept on the conduct of each, and any dereliction was visited with expulsion, not to be revoked without evidence of change of heart. No one was allowed to take an oath, even in court, to hold an office, to keep an inn, to follow any trade except in the necessaries of life. Any noble desiring to join was required to lay aside his rank and resign whatever offices he might hold. In 1479 two barons and several knights applied for admission, when the rules were strictly enforced, and some submitted while others withdrew. This rigor at last caused violent dissensions, and in 1490 the Synod of Brandeis relaxed the rules. The puritan party recalcitrated and were strong enough to cause a revocation of this action in a subsequent synod.

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p. 1834–5, Ed. 1608). The trouble was renewed after the death of Rokyzana. At length, in 1482, Agostino Luciano, an Italian bishop, came to Prague in search of a purer religion, and was joyfully received. He served them until 1493, when he died. Then Filippo, Bishop of Sidon, came, but after three years he was recalled by the pope. In 1499 a mission was sent to Armenia, where some of them were ordained.—Hist. Persecutionum pp. 95–6.

* Goll, op. cit. II. 101.—De Schweinitz, op. cit. p. 156, 200–1.—Édouard Montet, Hist. Litt. des Vaudois, pp. 152, 156.

Much ill-feeling was generated, until, in 1495, at the Synod of Reichenau, there was mutual forgiveness and a moderation of the rules. Yet two of the puritan leaders, Jacob of Wodnan and Amos of Stekna, refused to accept the compromise, and founded the sect known as Amosites, or the Little Party, which maintained a separate existence for forty-six years.*

During this period the Brethren had been subjected to repeated and severe persecution. Sometimes driven for refuge to the mountain and forest, whence they earned the name of Jamnici, or cave-dwellers, they counted their roll of martyrs who had testified in the dungeon or at the stake to the strength of their convictions. Yet the little band steadily grew. In the year 1500 it was deemed necessary to increase the number of bishops to four. In Bohemia and Moravia they counted between three hundred and four hundred churches with nearly two hundred thousand members. There were few villages and scarce any towns in which they were not to be found, and they had powerful protectors among the nobility, who, by the enslavement of the peasants in 1487, had become practically independent and able to shelter them during periods of persecution. The Brethren were active in education and in the use of the press. Every parish had its school, and there were higher institutions of learning, especially at Jungbunzlau and Litomysl. Of the six Bohemian printing-offices they possessed three, while the Catholics had but one and the Calixtins two. Of the sixty books issued in Bohemia between 1500 and 1510, fifty were printed by the Brethren.†

From this period until the death of Ladislas, in 1516, they were subjected to intermittent but severe persecution, especially in Bohemia. Ladislas, in his will, left instructions for their extermination "for the sake of his soul's salvation and of the true faith;" but the minority of his son Louis, only ten years old, the breaking-out of disturbances, and the feuds between Catholic and Calixtin brought them peace. The exiled pastors returned, the churches were reopened, and public service was resumed. With the rise of Lutheranism and the negotiations between the Bohemians and

* De Schweinitz, op. cit. pp. 122–7, 172–5, 180–1.

† Hist. Persecut. Eccles. Bohem. pp. 63–66, 73–4.—Ripoll III. 577.—Camerarii Hist. Frat. Orthod. pp. 104–22.—De Schweinitz, op. cit. 170, 225–6.—Von Zezschwitz, Real-Encyklop. II. 656–7, 660.

the German Protestants their history passes beyond our present horizon, except to allude to the fidelity with which they endured the shocks of the counter-Reformation, and succeeded in transmitting to our own time the lessons which they had learned from Peter Waldo and John Wickliff. They brought across the Atlantic the union of fearless zeal with the gentler Christian virtues, and in the annals of Pennsylvania the name of Moravian came to represent all that serves as the firmest and surest foundation of social organization. Parkman has well indicated the contrast between the civilizing influence of the kindly Moravian missionaries and the manner in which their Jesuit rivals were content to substitute the cross as a fetich in place of the medicine-bag. The same well-directed enthusiasm endures to the present day. Small as is the Moravian Church, it maintained in 1885 no less than three hundred and nineteen missionaries scattered among the remote places of the earth, with over eighty-one thousand native converts as church members; and the more rugged and inhospitable the fields of labor the more earnest the zeal of the good Brethren. But for them the savage coasts of Greenland would be almost destitute of Christian teaching, and in their truly apostolic work we may recognize that the blood of the martyrs of Constance was not shed in vain.*

* Parkman's Montcalm, II. 144–5.—I owe to the kindness of Bishop De Schweinitz the statistics of the Moravian Missions.

APPENDIX.

I.

Excommunication of the Magistrates of Toulouse, July 24, 1237.

(Doat, XXI. fol. 146.)

Manifestum sit omnibus tam presentibus quam futuris quod nos frater Stephanus de ordine fratrum Minorum et frater Guilhelmus A. de ordine fratrum Predicatorum inquisitores instituti ad faciendam inquisitionem contra hereticos, fautores, receptatores et deffensores hereticorum Tholose et in tota diocesi Tholosana; cum per diligentem inquisitionem a nobis factam constiterit nobis R. Centulli et Sicardum de Tholosa et R. Rogerii et Alamannum de Roaxio et R. Embruni et Ondradam uxorem Arnaldi Petrarii infectos esse heretica pravitate, per sententiam diffinitivam eos esse hereticos condemnaverimus, Petrum de Tholosa vicarium Tholose et capitularios Tholose diligenter et legitime tam per nos quam per alios admonuimus ut dictos hereticos caperent et de dictis hereticis facerent quod est de hereticis faciendum; cumi gitur vicarius et capitularii, neglectis et contemptis omnibus supradictis admonitionibus a nobis factis, non solum non ceperunt eos nec de terra eos fugaverunt, vel eorum bona occupaverunt ut tenentur, sed etiam in periculum animarum suarum et in prejudicium fidei, pacis et ecclesie R. Rogerii et Alamannum de Roaxio predictos hereticos condemnatos tolerant et sustinent in stratis publicis circa Tholosam et aliis locis eorum jurisdictioni subditis, capere viros religiosos et clericos ac eorum bonis propriis spoliare et ad redemptionem compellere, et vulnerare et injuriis eos afficere, necnon et viros Catholicos cum clericis commorantes occidere mutilare et alia mala ecclesiis et ecclesiasticis viris inferre, maxime cum nos dicti inquisitores publice excommunicaverimus omnem hominem tam virum quam mulierem tanquam fautorem et deffensorem hereticorum qui eis consilium vel auxilium aliquod eis occulte vel manifeste prestaret, et vicarius et capitularii supradicti contra prohibitionem nostram temere supradictos hereticos in supradictis malitiis fovent nequiter et sustentant; et cum insuper ipsi sacramento et constitutionibus ecclesie teneantur hereticos ubique capere et totam terram eorum jurisdictioni subjectam a pravitate heretica extirpare, non attendentes quod scriptura dicit, non est grandis differentia utrum letum admittas vel differas quoniam mortem languentibus probatur infligere qui hanc, cum possit, non excludit et alibi dicatur canone, quod error cui non resistitur probatur, et *negligere* cum possit arguere perversos

nihil aliud est quam fovere, nec caret scrupulo societatis occulte qui manifesto facinori distulit obviare, maxime cum vicarius et capitularii supradicti alia vice tanquam fautores et deffensores hereticorum fuerint excommunicati, predictos vicarium et capitularios, habito diligenti consilio et tractatu, assidentibus nobis venerabili patre R. Dei gratia episcopo Tholosano et B. abbate Mansi sub Verduno, et P. preposito Sancti Stephani, et P. priore ecclesie beate Marie deaurate, tanquam fautores et sustentatores hereticorum auctoritate qua fungimur excommunicationis vinculo innodamus.

Lata fuit hec sententia publice in ecclesia sancti Stephani Tholose, coram multis viris religiosis et capellanis parochialium ecclesiarum Tholose et aliis viris ecclesiasticis, IX Kal. Augusti anno Domini MCCXXXVII.

II.

Argument of Bernard Délicieux before Philippe le Bel, Toulouse, 1304.

(Bib. Nat. MSS., fonds latin, No. 4270, fol. 138.)

Dixit etiam se dixisse tunc ipse frater Bernardus quod Deus fecerat magnam gratiam patriæ in adventu ipsius domini regis, eo quod dictus frater Guilhelmus Petri, ordinis prædicatorum, tunc prior provincialis, præsentibus inquisitoribus Tolosæ et Carcassonæ et multis aliis fratribus ejusdem ordinis, dixit et confessus est loquens in personam inquisitorum prædictorum, in præsentia ipsius regis et plurium quam quingentarum personarum in aula superiori ipsius domini regis existentium, quod in tota lingua occitana non erant hæretici nisi tantummodo in burgo Carcassonæ, Albiæ vel Corduæ, vel in circuitn per unam leucam vel duas, et quod illi non erant quadraginta, et si erant quadraginta non erant quinquaginta, et quod hoc dictus frater Guilhelmus dixit bis in præsentia prædictorum; et ideo intulit tunc ipse frater Bernardus, ut dixit, quod patria quæ hactenus fuerat diffamata testimonio ipsorum inquisitorum ab infamia prædicta in adventu ipsius domini regis fuerat relevata, et sperabat frater Bernardus, ut dixit tunc se dixisse, quod ex quo tunc secundum verba eorum tota patria erat sana, excepta sex leucis et quinquaginta personis, quod leucæ illæ et personæ ac tres villæ prædictæ adhuc invenientur immunes a labe hæresis prædicta. Dixit etiam tunc se dixisse, quod si hodie viverent beati Petrus et Paulus, et contra eos impingeretur quod hæreticos adorassent, si procederetur contra eos super hujusmodi adoratione, sicut per aliquos inquisitores istarum partium aliquando contra multos fuit processum nec pateret eis via deffensionis. Si enim de fide interrogarentur, responderent sicut magistri et doctores, ubi autem diceretur eis quod hæreticos adorassent, et quærerent quos hæreticos, et dicerentur eis sola nomina dictorum hæreticorum (quæ quidem nomina et cognomina multis conveniunt) et ipsi beati Petrus et Paulus dicerent "Istos nunquam novimus. Dicatis nobis ubi sunt vel unde venerunt et quo iverunt, cujus linguæ, staturæ aut conditionis erant" et nihil eis diceretur per quod notitia dictorum hæreticorum, qui dicuntur adorati haberi posset: si etiam quærerent quo tempore facta fuerit hæc adoratio,

et non diceretur dies, mensis nec annus: si etiam quærerent nomina testium et non darentur eis, non est qui possit exprimere, ut dixit tunc se dixisse ipse frater Bernardus quod hi apostoli qui tam sancti sunt, a tali macula coram hominibus se possent deffendere, maxime cum si quis vellet eos deffendere statim impingeretur quod erat fautor hæreticorum, sicut ipse frater Bernardus in se ipso et dicto vicedomino probavit.

III.

Supplication of the Church of Albi to the College of Cardinals (1304–5).

(Archives de l'Hôtel-de-ville d'Albi.—Doat, XXXIV. fol. 42.)

Illustrissimæ Dominationis Patribus venerabilibus Dominis Cardinalibus sacrosanctæ Romanæ ecclesiæ sacroque cœtui eorumdem, Capitulum et Canonici ecclesiæ Albiensis et Capitulum et Canonici ecclesiæ Sti. Salvii de Albia, Abbasque et monachi monasterii de Galliaco Albiensis diocesis, et alii religiosi quorum sigilla inferius sunt appensa, suarum sublimitatum imperiis subjectionem debitam et devotam. Juste pater supplicatur a filiis dum cernunt fluctus tumescere et undis insiliantibus ventis et flantibus ex adverso naufragium imminere formidant, præsertim dum necessarium exigente qualitate causarum salus non pateat aut auxilium aliunde. Verum nostra patria quantis sit exposita præcipitiis et ruinis propter quæstiones et dissensiones quibus ad invicem se collidunt patria et inquisitores hæreticæ pravitatis novit ille qui nihil ignorat, et adeo excrevit turbatio ut idem populus ad iracundian concitatus non videatur aliud anhelare nisi ut discriminibus se committens deducat in ore gladii, nedum quos sibi putat adversarios sed et alios, ac ad talia se convertat quæ non poterunt aliquatenus reparari. Vestræ igitur Paternitatis pedibus provoluti humiliter supplicanus ut circa præmissa sic salutifere et celeriter succurratis quod, præclusa via periculis et ruinis, patria restituatur paci debitæ et quieti. Constet enim vobis quod dictus populus et patria est catholica et fidelis, quantum nos humana fragilitas nosse sinit, et populus civitatis Albiæ et patriæ fidem catholicam corde credens ore profitetur eamdem ut sic perveniat ad salutem et bonis operibus astruit et confirmat. . . . Paternitatem vestram conservet altissimus ecclesiæ suæ sanctæ per tempora longiora. (Signed with seventeen seals.)

IV.

Bull of Clement V. in Favor of the Inquisition.

(Doat, XXXIV. fol. 112.)

Clemens episcopus servus servorum Dei ad perpetuam rei memoriam. Dudum venerabili fratri Petro episcopo Prenestino, tunc tituli Sancti Vitalis, et dilecto filio nostro Berengario titulo sanctorum Nerei et Achillei presbyteris cardinalibus, per nostros sub certa forma litteras duximus committendum ut ipsi circa negotium inquisitionis heretice pravitatis in partibus Carcassonensi, Albiensi et

Cordue super certis articulis seu dependentibus ab eisdem diligenter inquireretur et nonnulla etiam ordinarent; qui auctoritate litterarum hujusmodi quadam cura dictum officium ordinasse noscuntur. Quia vero nostre intentionis non extitit nec existit ut occasione dicte commissionis seu alicujus mandati nostri super hiis Cardinalibus ipsis facti, Inquisitoribus pravitatis predicte inquirendi vel conjunctim vel divisim cum episcopo seu episcopis ordinariis, aut sine ipsis, prout eis licet secundum canonicas sanctiones facultas aliquatenus restringatur; Nos ordinationem per quam dicti Cardinales facultatem inquirendi per se divisim inquisitoribus ipsis restrinxisse dicuntur utpote intentioni nostre et juri contrariam, juribus carere decernimus et nullatenus observandam, ordinatione ipsorum Cardinalium circa ceteros alios articulos in omnibus et per omnia in suo robore duratura. Nulli ergo omnino hominum liceat hanc paginam nostre constitutionis infringere, vel ei ausu temerario contraire. Si quis autem hec attemptare presumpserit, indignationem omnipot. Dei et beatorum Petri et Pauli apostolorum ejus se noverit incursurum. Datum Pictavis, secundo Idus Augusti, Pontificatus nostri anno tertio. (12 Aug. 1308.)

V.

Brief of Clement V. Concerning the Prisoners of Albi.*

(Doat, XXXIV. fol. 89.)

Venerabili fratri Geraldo episcopo Albiensi et dilectis filiis inquisitoribus heretice pravitatis in partibus Albiensibus. Dudum venerabili fratri nostro Bertrando tunc episcopo Albiensi et inquisitoribus dictis nostros direximus litteras in hec verba:

Hauréau (Bernard Délicieux, p. 194) prints the bull of 1210 (Doat, XXXII. fol. 60), contained in the above, but has apparently overlooked the subsequent and far more significant one. The earlier bull also appears in T. V. p. 40, of the Regestum Clementis PP. V. just issued in Rome.

In the same publication, received too late for reference to be made in the proper place (see above, p. 78), there are several letters throwing light on the troubles of Bernard de Castanet, Bishop of Albi. In 1307 two of his cathedral canons, Sicard Aleman and Bernard Astruc, accused him before the pope of numerous crimes. Berenger, Cardinal of SS. Nereo and Achilles, to whom the matter was referred, after examining the articles of accusation, suspended him from all his functions during an investigation. "Executors" were ordered to proceed to Albi to take testimony, giving three months to the prosecution, then two to the defence, and finally two more to the prosecution in rebuttal. A vicar-general was appointed, July 31, to take charge of the see, and three procurators to collect its revenues. One of the "executors" was Arnaud Novelli, Abbot of Fontfroide, whom we have seen (p. 87) replacing, by order of Philipe le Bel, the bishop in his inquisitorial capacity. Arnaud was soon afterwards appointed vice-chancellor of the curia; this, with other impediments, delayed the investigation, and on November 20 two additional months were granted to the prosecution. Nothing apparently came of the trial except that it probably quickened Bernard's desire to abandon his thorny seat. There is a papal brief of October 31, 1308, addressed to Bertrand de Bordes as Bishop of Albi, in which Bernard is alluded to as late of Albi and now of Puy (Ibid. T. II. pp. 52, 165; T. III. pp. 3, 255).

Clemens episcopus, servus servorum Dei venerabili fratri Bertrando episcopo Albiensi et dilectis filiis inquisitoribus heretice pravitatis in partibus Albie, salutem et apostolicam benedictionem. Significarunt nobis Isarnus Colli, P. Fransa, Jo. de Porta, Joannes Pays, Petrus de Raissaco, B. Casas, G. Salavert, G. de Landas, Isarnus de Cardalhaco, G. Borrelli, cives Albienses, quod ipsi olim de mandato venerabilis fratris B. Aniciensis, tunc Albiensis, episcopi et inquisitoris seu inquisitorum qui erant tunc in partibus illis, occasione criminis hereseos, fuerint carceri mancipati, et jam per octo annos et amplius, tam Albie quam Carcassone, diu carceris angustias sustulerunt, sicut adhuc sustinent, quamvis nulla super hoc facta fuerit condempnatio de eisdem; cum autem ex parte dictorum civium pluries fuerimus cum instantia requisiti, ut ad condempnationem vel absolutionem eorumdem, prout jus exigit faceremus procedi: Nos volentes quod circa illos vestri officii debitum exequamini, sicut decet, discretioni vestre per Apostolica scripta mandamus, quatenus apud Albiam tu frater episcope per te vel per alium seu alios idoneos, vos vero inquisitor vel inquisitores prefati, personaliter predictos cives ubicumque detineantur, adduci ad vestram presentiam sub fida custodia facientes, in eodem negotio quibuscumque processibus factis seu inchoatis per venerabiles fratres Leonardum Albanensem, nunc Prenestinum tunc tituli S. Vitalis et Berengarium Tusculanum episcopum, tunc tituli sanctorum Nerei et Achillei, et dilectos filios nostros Johannem tituli sanctorum Marcellini et Petri presbyteros ac Richardum sancti Eustachii diaconum Cardinales, seu per dilectum filium Arnaldum abbatem Fontisfrigidi Cisterciensis ordinis, Narbonensis diocesis, nunc Sancte Romane Ecclesie Vicecancellarium seu alios quoscumque, commissionum vigore per nos vel per felicis recordationis Benedictum papam undecimum predecessorem nostrum super facto heresis dictos cives tangente factarum, ab subrogatione prefati abbatis et predicti Albiensis episcopi facta, nequaquam obstantibus, in eodem negotio solum Deum habentes pre oculis, ad inquirendum contra illos contra quos inquisitum non est, et contra illos etiam contra quos inquisitum extitit, sed non plene, diligenter ac plenarie secundum formam que consuevit in talibus observari, contra illos vero contra quos plenarie inquisitum est, et contra predictos alios cum plene fuerit inquisitum, ad sententiam ratione previa procedatis, et alias contra illos vestri officii debitum exequamini, prout fuerit rationis, communicato tamen processu prius et inquisitione predictis prefatis Prenestino et Tusculano episcopis, eorum consiliis inherentes; per hoc tamen quoad alios ordinationi facte dudum de mandato nostro, tam Carcassone quam Albie per dictos Prenest. et Tuscul. episcopos tunc, ut predicitur, presbyteros Cardin. ex commissione seu commissionibus tam per nos quam per predecessorem nostrum factis predictis quibuscumque aliis Cardinalibus, et processibus habitis per eosdem super facto hominum illorum de Albia et de diocesi Albiensi, contra quos per dictum Bernardum Aniciensem tunc Albiensem episcopum, et inquisitorem seu inquisitores predictos, condempnationis sententia lata fuit, nullatenus volumus prejudicium generari. Datum Avenione, sexto Idus Februarii pontificatus nostro anno V. (8 Feb. 1310).

Verum sicut accepimus presentatis prefato episcopo et inquisitoribus litteris supradictis, et quibusdam dicentibus quod dicte littere fuerant a nobis subrep-

ticie impetrate, pro eo videlicet quod aliqui ex dictis civibus ante tempus date litterarum ipsarum decesserant, reliqui vero ipso tempore in carcere permanebant, et sic predicta non potuerunt intimasse, et in prefato negotio huc usque procedere neglexerant. Nos itaque nolentes quod propter hoc justitia retardetur, discretioni vestre per apostolica mandamus, quatenus premissis non obstantibus, nec obstante etiam quod aliqui de predictis querelantibus non sint cives Albie, licet sint de diocesi Albie, nec si aliquem de predictis mori contingat, vel ante decessisset quam inquirere inchoaveritis vel inchoavissetis, vel post eorumdem mortem, in aliquo non obstante, tam de mortuis quam de vivis inquirere, et in eodem negotio procedere minime postponatis, juxta predictarum nostrarum tenorem litterarum. Quod si forsan vos filii inquisitores, his nolueritis, aut non potueritis, aut non curaveritis interesse, tu frater episcope, solus per te vel per alium seu alios in negotio eodem procedas, juxta litterarum continentiam earumdem.

VI.

Withdrawal of Security from Citizens of Albi.

(Archives de l'Inquisition de Carcassonne.—Doat, XXXII. fol. 138.)

Joannes episcopus servus servorum Dei dilectis filiis inquisitoribus hæreticæ pravitatis in partibus Carcassonæ constitutis salutem et apostolicam benedictionem. Ut commissum vobis negotium Catholicæ fidei autore Domino prosperetur in vestris manibus libenter apostolicæ sollicitudinis partes apponimus et quæque obstantia submovemus. Olim quidem felicis recordationis Clementi papæ quinto prædecessori nostro pro parte quorumdam hominum de partibus Carcassonæ suggesto quod inquisitores pravitatis hæreticæ illarum partium qui tunc erant et pro tempore fuerant multa illis gravamina et injurias irrogarunt, iniquos contra eos et alios illarum partium processus contra justitiam facientes, idem prædecessor hujusmodi suggestionibus aurem accommodans, bonæ memoriæ Petro episcopo Prænestinensi tunc tituli Sancti Vitalis et venerabili fratri nostro Berengario episcopo Tusculanensi, tunc tituli SS. Nerei et Achillei presbiteris cardinalibus qui partium illarum notitiam habebant et per partes illas transitum facere tunc habebant, suis dedit litteris in mandatis ut de præmissis suggestionibus et aliis incidentibus se plenius informarent, et nihilominus interim personis prosequentibus negotium memoratum de securitate idonea, pendente dicto negotio, auctoritate apostolica providerent nec permitterent eos per eosdem inquisitores aliquatenus molestari; præfati quoque cardinales hujusmodi commissionis prætextu Aymerico de Castro burgensi Carcassonæ et quibusdam aliis tunc negotium prosequentibus supradictum securitatem hujusmodi, pendente dicto negotio, apostolica auctoritate præstantes, illos sub sua protectione et sedis apostolicæ receperunt; quam receptionem idem prædecessor noster ratam habens et gratam mandavit illam inviolabiliter observari, eisdem inquisitoribus districtius inhibendo ne contra præfatum Aymericum et alios officii eorum prætextu procederent quoquomodo, donec præfatum negotium esset per sedem apostolicam terminatum et a sede ipsa aliud reciperent in mandatis. Quia vero præfati Aymer-

icus et alii circa proposita et objecta per eos ulterius coram prædecessore præfato ac etiam coram nobis negotium ipsum prosequi neglexerunt et quasi negligunt, præfata protectione securi, nos nolentes sicut etiam non debemus propterea vestrum officium impediri, securitatem ipsam penitus revocantes discretioni vestræ per apostolica scripta mandamus quatinus contra eumdem Aymericum et alios in decreta vobis provincia, Deum et justitiam habendo præ oculis, procedentes, non obstantibus securitate prædicta et aliis securitatibus, protectionibus, confirmationibus, ordinationibus, et inhibitionibus quibuscumque dicti prædccessoris aut aliorum quorumlibet, juxta formam vobis traditam ac canonicas sanctiones et de peritorum consilio officii vestri debitum curetis exequi diligenter. Datum Avenione, tertio Kalendas Aprilis, pontificatus nostri anno secundo (30 Mart. 1318).

VII.

Exequatur of an Inquisitor for Champagne.

(Archives de l'Inquisition de Carcassonne.—Doat, XXXII. fol. 127.)

Philippus regis Franciæ primogenitus Dei gratia rex Navarræ, Campaniæ et Briæ comes palatinus dilectis et fidelibus suis universis baillivis, castellanis, vasallis, præpositis, communitatibus villarum et earum rectoribus, cæterisque communia officia gerentibus in nostris comitatibus Campaniæ et Briæ, ad quos præsentes litteræ pervenerint salutem et dilectionem. Tenore præsentium bovis districte præcipiendo mandamus, quatenus dilecto fratri Guillelmo Altissiodorensi ordinis fratrum prædicatorum præsentium exhibitori domini Papæ inquisitori hæreticorum ac perfidorum Judæorum in regno Franciæ sine mora et qualibet difficultate plenarie obediatis, sicut vobis in citando, capiendo, detinendo, ad eos mittendo seu etiam ducendo et puniendo tam Christianos quam Judæos, quos idem frater inquisitor invenerit culpabiles contra statuta ecclesiæ et fidem Domini nostri Jesu Christi, ipsum nihilominus familiam et res ipsius custodientes et defendientes sicut nos et familiam et res nostras. In cujus rei testimonium præsentibus litteris nostrum fecimus apponi sigillum. Actum et datum Parisius, die Dominica in crastino Sancti Matthiæ apostoli, anno Domini MCC. octuagesimo quarto, mense Februarii (25 Feb. 1285).

VIII.

Sentence of Marguerite la Porete.

(Archives nationales de France.—J. 428, No. 15.)

In Christi nomine amen. Anno ejusdem MCCC decimo, indictione octava, die dominica post Ascensionem Domini (31 Maii), pontificatus beatissimi patris domini C. divina providentia Pape quinti anno quinto, in Gravia Parisius, facta ibidem congregatione sollempni, assistentibus mihi reverendo in Christo patre domino Parisiensi episcopo, magistris Johanne de Frogerio officiali Parisiensi, C. de Chenat, Johanne de Domnomartino, Xaverio de Charmoia, Stephano de

Bercondicuria, fratribus Martino de Abbatisvilla bachalario in theologia, Nicolao de Avessiaco ordinis predicatorum, Johanne Marchandi preposito Parisiensi, G. de Choques et pluribus aliis ad hoc specialiter evocatis, presentibus etiam pluribus processionibus ville Parisius et populi multitudine copiosa, et me notario publico infrascripto, religiosus vir et honestus frater G. de Parisius, ordinis predicatorum, inquisitor heretice pravitatis in regno Francie auctoritate apostolica deputatus in scriptis tulit sententias infrascriptas sub hac forma:

In nomine Patris et Filii et Spiritus Sancti amen. Quia nobis fratri Guillelmo de Parisius ordinis predicatorum inquisitori heretice pravitatis in regno Francie auctoritate apostolica deputato, constat et constitit evidentibus argumentis te, Margaritam de Hannonia dictam Perete, super labe heretice pravitatis vehementer esse suspectam, propter quod citari te fecimus ut compareas in judicio coram nobis, in quo existens personaliter a nobis ortata pluries canonice et legitime ut coram nobis juramentum prestares de plena pura et integra veritate dicenda de te et aliis super hiis que ad nobis commissum inquisitionis officium pertinere noscuntur, que facere contempsisti, licet a nobis fueris pluries super hoc et locis pluribus requisita, in hiis fuisti semper contumax et rebellis, pro quibus contumaciis et rebellionibus evidentibus et notoriis hoc exigentibus de multorum peritorum consilio, in te sic rebellem et contumacem sententiam majoris excommunicationis tulimus et in scriptis, quam, licet te notificata fuisset, post notificationem predictam fere per anuum et dimidium in tue salutis dispendium sustinuisti animo pertinaci, licet tibi pluries obtulerimus nos tibi absolutionis beneficium impensuros secundum formam ecclesie si hoc humiliter postulares, quod usque nunc petere contempsisti nec jurare nec respondere nobis super premissis hactenus voluisti, propter que secundum sanctiones canonicas pro convicta et confessa, et pro lapsa in heresim seu pro heretica te habemus et habere debemus: Porro dum tu Margarita in istis rebellionibus obstinata maneres, ducti conscientia volentes officii nobis commissi debitum exercere inquisitionem contra te et processum fecimus super predictis, prout exegit ordo vite, ex quibus inquisitione et processu nobis constitit evidenter quondam composuisse te librum pestiferum continentem heresim et errores, ob quam causam fuit dictus liber per bone memorie Guidonem olim Cameracensem episcopum* condemnatus et de mandato ipsius in Valencenis in tua combustus presentia publice et patenter; a quo episcopo tibi fuit sub pena excommunicationis expresse inhibitum ne de cetero talem librum componeres vel haberes aut eo vel simili utereris, addens et expresse ponens dominus episcopus in quadem littera suo sigillata sigillo, quod si de cetero libro utereris predicto vel si ea que continebantur in eo verbo vel scripto de cetero attemptares, te condempnabat tanquam hereticam et relinquebat justiciandam justicie seculari. Post vero dicta omnia dictum librum contra dictam prohibitionem pluries habuisti et plurics usa es, sicut et ejus patet recognitionibus factis nedum coram inquisitore Lotharingie et coram reverendo patre et domino, domino Johanne tunc Cameracensi episcopo, nunc archiepiscopo Senonensi,† dictum eumdem librum, preter con-

* Gui II., Bishop of Cambrai from 1296 to 1305.

† Philippe de Marigny, Bishop of Cambrai in 1306, transferred to Sens in April, 1310, in time to burn the Templars who retracted their confessions.

dempnationem et combustionem predictas, sicut bonum et licitum communicasti reverendo patri domino Johanni Cathalonensi episcopo et quibusdam personis aliis, prout ex fidedignorum juratorum et super hiis coram nobis evidentibus testimoniis nobis liquet. Nos igiter super premissis omnibus deliberatione prehabita diligenti communicatoque multorum peritorum in utroque jure consilio, Deum et sancta evangelia pre oculis habentes, de reverendi patris et domini Domini G. Dei gratia Parisiensis episcopi consilio et assensu, te Margaritam non solum sicut lapsam in heresim sed sicut relapsam finaliter condempnamus, et te relinquimus justicie seculari, rogantes eam ut citra mortem et membrorum mutilationem, tecum agat misericorditer quantum permictunt canonice sanctiones; dictum etiam librum tanquam hereticum et erroneum upote errores et heresim continentem, judicio magistrorum in theologia Parisius existentium et de eorumdem consilio finaliter condempnamus ac demum excommunicari volumus et comburi; universis et singulis habentibus dictum librum precipientes districte et sub pena excommunicationis quod infra instans festum Apostolorum Petri et Pauli nobis vel priori fratrum predicatorum Parisius, nostro commissario, sine fraude reddere teneantur. Actum Parisius in Gravia, presente predicto patre reverendo Parisiensi episcopo, clero et populo dicte civitatis ibidem sollempniter congregato, Dominica infra Ascensionem Domini, anno Domini MCCC decimo.

Consultation of Canon Lawyers on the Case of Marguerite la Porete, held May 30, 1310.

Universis presentes litteras inspecturis, Guillelmus dictus Frater archidiaconus Laudonie in ecclesia Sancti Andree in Scocia, Hugo de Bisuncio canonicus Parisiensis, Johannes de Tollenz canonicus Sancti Quintini in Veromandua, Henricus de Bitunia canonicus Furnensis et Petrus de Vallibus curatus Sancti Germani Altissiodorensis de Parisius, et etiam regentes Parisius in decretis, salutem in actore salutis. Noveritis virum venerabilem devotum et discretum fratrem Guillelmum de Parisius ordinis predicatorum inquisitorem heretice pravitatis in regno Francie auctoritate sedis apostolice deputatum, inque processum qui sequitur nobis intimasse, consultationemque nobis fecisse inferius annotatam. Processus equidem talis est: Tempore quo Margarita dicta Porete suspecta de heresi fuit in rebellione et in inobedientia, nolens respondere nec jurare coram inquisitore de hiis que ad inquisitionis sibi commisse officium pertinent, ipse inquisitor contra eam nihilominus inquisivit et etiam depositione plurium testium invenit quod dicta Margarita librum quemdam composuerat continentem hereses et errores qui de mandato reverendi patris domini Guidonis condam Cameracensis episcopi publice et sollempniter tanquam talis fuit condempnatus et combustus et per litteram dicti episcopi fuit ordinatum quod si talia sicut ea que continebantur in libro de cetero attemptaret verbo vel scripto eam condempnabat et relinquebat justiciandam justicie seculari. Invenit etiam idem inquisitor quod ipsa recognovit in judicio semel coram inquisitore Lotharingie et semel coram reverendo patre Domino Philippo tunc Cameracensi episcopo, se post condempnationem predictam librum dictum habuisse et alios: invenit etiam idem in-

quisitor quod dicta Margarita dictum librum in suo consimili eosdem continentem errores post ipsius libri condempnationem reverendo patri Domino Jo. Dei gratia Cathalaunensi episcopo communicavit ac nedum dicto domino sed et pluribus aliis personis simplicibus, begardis et aliis tanquam bonum. Consultatio autem ex predictis resultans per prefatum inquisitorem ut pertactum est nobis facta talis est: Videlicet, utrum in talibus dicta beguina debeat relapsa judicari? Nos autem fidei catholice zelatores, veritatisque canonice professores qualescumque consultationi predicte respondentes, dicimus quod ipsa beguina, supposita veritate facti precedentis, judicanda est relapsa et merito relinquenda est curie seculari. In cujus rei testimonium sigilla nostra presentibus apposuimus. Datum anno Domini MCCC decimo sabbato post festum beati Joannis ante portam latinam.*

IX.

Exequatur of an Inquisitor issued by Philippe le Bon of Burgundy.

(MSS. Bib. Nat., fonds Moreau, 444 fol. 10.)

Philippus universis et singulis seneschallis, baillivis, scultetis, officiariis et justiciariis nostris præsentibus et futuris, et locatenentibus eorumdem per ducatus et districtus nostras infra dyoceses Cameracensis et Leodiensis constitutos, ad quos præsentes nostræ litteræ pervenerint salutem et omne bonum. Cum religiosus dilectusque noster frater (Henricus) Kaleyser sacræ theologiæ professor ordinis fratrum prædicatorum inquisitor hæreticæ pravitatis per provincialem provinciæ Theotoniæ in prædictis Cameracensi et Leodiensi dyocesibus auctoritate apostolica specialiter deputatus pro Dei servitio et cultu seu exaltatione sanctæ fidei orthodoxæ utque ipsum hæresis crimen a dictis partibus quibus presidemus si forsan alicubi vigeat seu inoleat valeat extirpare ad loca seu partes nostræ jurisdictioni subjectas et vobis commissas declinare quisquam habeat seu etiam proficisci, nosque velut princeps catholicus qui de manu altissimi multa bona variosque honores recognoscimus recipisse in prædictis et aliis qui divinum continuo obsequium complacere ut convenit plurimum cupiantes intendimus ymo et volumus favorabilem dare locum, ipsumque inquisitorem tanquam Dei specialem ministrum nostris prosequi gratiis et favoribus optamus ideo vobis et cuilibet vestrum qui super hoc fueritis requisiti seu fuerit requisitus, districte præcipiendo

* In the Register of Clement V., received since the text of this volume was in type, there is a brief addressed September 3, 1310, to the Inquisitor of Langres ordering him to proceed vigorously against the heretics of that diocese who have been reported by the bishop as multiplying so that, unless prompt measures are taken, grave injury to the faith is to be apprehended. The nature of the heresy is not described, but it was probably that of the Brethren of the Free Spirit which Marguerite la Porete had been disseminating throughout that region.

The incident has further interest as showing how completely the French episcopate had transferred to the Inquisition its jurisdiction over heresy, in spite of its renewed activity at the moment in the affair of the Templars.

mandamus sub obtentu gratiæ nostræ quatenus dictum fratrem Henricum inquisitorem quotiescumque ad exercendum dictum officium ad dicta loca seu partes vobis commissas contigerit se transferre et supra prædictis sæculare brachium invocando vestrum auxilium postulare, eumdem inquisitorem favorabiliter admittatis, et eidem in et supra prædictis sæculare brachium invocando vestrum auxilium impendatis, capiendo seu capi faciendo quoscumque ipse inquisitor debita informatione seu inquisitione prævia et juris ordine alias desuper observato de memorato facinore suspectos vel diffamatos noverit et hæreticos quosque vobis duxerit nominandos, et captos etiam detinendo, et infra jurisdictionem vestram ad locum de quo dictus inquisitor vobis dixerit deducendo, necnon pœna debita plectendo eosdem sicut ipse decreverit et est fieri consuetum, si videlicet quando et quotiens ac prout ipse inquisitor vos duxerit requirendos. Ut autem inquisitor præfatus suum inquisitionis officium securius et liberius exercere valeat, nostro suffultus præsidio et favore, inquisitorem eumdem ipsiusque socium ac ejus notarium et familiam, res et bona eorum, sub nostris protectione, defensione et salvagardia speciali atque securo conductu recepimus et recipimus per præsentes, mandantes vobis omnibus et singulis supradictis ut vestrum cuilibet quatenus nostras protectionem, defensionem et salvagardiam securumque conductum hujusmodi dicto inquisitori ejusque socio ac notario, familiæ, bonis et rebus eorum inviolabiliter observando, nullam injuriam nullumque dispendium, gravamen aut dampnum aliquod ipsis inferre in personis ac bonis a quocumque permittatis, quinnymo provideatis eisdem de securo transitu et salvo conductu si et prout per dictum inquisitorem inde fueritis requisiti. Datum in oppido nostro Bruxellensi mensis novembris die nona, anno Domini MCCCC tricesimo primo.

X.

Waldensianism in the Sentences of Pierre Cella.

(Doat, XXI.)

I select a few of the sentences of Pierre Cella in 1241–2, illustrating the development of Waldensianism at that period, and the relations between it and Catharism. The sects were perfectly distinct, but frequently the people, in their antagonism to the established Church, looked favorably on both, and considered them equally as "*boni homines.*" It will be borne in mind that, in the language of the Inquisition, "heretic" always means Catharan. The following cases are all from Gourdon and Montauban.

Galterus Archambaut vidit hereticos pluries in diversis locis, audivit predicationes eorum, et comedit cum eis sepe, et adoravit eos sepe, et pacis osculum more hereticorum pluries recepit et interfuit hereticationibus duabus, et adduxit Valdenses ad hereticos in domum suam, ubi disputaverunt, et conduxit hereticos, et fuit depositarius eorum, multociens adoravit eos et comedit cum eis, et dedit

eis de bonis suis, et audivit predicationes eorum tociens quod non recordatur, et credebat quod essent boni homines et quod esset salus cum eis, et si moreretur vellet mori in manibus eorum.—Stabit Constantinopoli per quinque annos, de cruce et via sicut alii, et tenebit pauperem quamdiu vixerit (fol. 196–7).

B. Bonaldi vidit P. de Vallibus Valdensem, et audivit predicationem ejus, et credidit aliquando quod non debet homo jurare, et in domo sua propria recepit Joset de Noguer hereticum, et disputavit cum eo, et ipse commendavit sectam Valdensem.—Idem quod proxima, excepta cruce (id est, Ibit ad Podium, Sanctum Egidium, Sanctum Jacobum, Sanctum Salvatorem de Asturia, Sanctum Marcialem, Sanctum Leonardum, Sanctum Dyonisium, Sanctum Thomam Cantuariensem) (fol. 201).

Petrus de Verniolo habuit hereticos et Valdenses in fortia sua, et locutus est alteri eorum, consuluit Valdenses de infirmitate sua.—Ibit ad Podium, Sanctum Egidium et Sanctum Jacobum (fol. 202).

Pana tociens recepit Valdenses quod non recolit, et fuit hospes Valdensium, et misit eis tociens panem, vinum, et alia comestibilia quod non nescit numerum, et fuit in domo sua facta disputatio inter Valdenses et credentes hereticis, et diligebat P. de Vallibus tanquam angelum Dei:—Sicut proxima, excepto paupere et cruce (i. e. Ibit ad Podium, Sanctum Egidium, Sanctum Salvatorem de Asturia, Sanctum Marcialem, Sanctum Leonardum, Sanctum Dyonisium, Sanctum Thomam Cantuariensem) (fol. 203).

Petrona uxor Raimundi Joannis, adduxit P. de Vallibus Valdensem ad domum suam, et tenuit per octo dies, et dedit ad comedendum et bibendum, et audivit eum ibi, et tenuit per tres septimanas Geraldam Valdensem, et credebat quod esset bona mulier, et dedit ei de bonis suis, et vidit hereticos et audivit predicationem eorum, et misit eis panem, vinum, et nuces.—Sicut Huga, excepta cruce (i. e. Ibit ad Podium, ad Sanctum Egidium, Sanctum Jacobum et Sanctum Salvatorem de Asturia, Sanctum Marcialem Lemovicensem, Sanctum Leonardum, Sanctum Dyonisium et Sanctum Thomam Cantuariensem), et tenebit pauperem per annum (fol. 204).

G. de Pradels vidit hereticos, audivit predicationem eorum, dedit eis de bonis suis, et pluries vidit et in diversis locis hereticos, et credebat quod boni homines essent, pluries vidit Valdensem, et credidit quod bonus homo esset, et dedit ei ad comedendum semel, et audivit predicationem ejus.—Portabit crucem per biennium (fol. 208).

G. Ricart pluries vidit hereticos et in diversis locis et sepe audivit predicationem eorum, et interfuit appareilhamento, recepit osculum pacis ab eis, comedit cum eis, recepit pluries eos in domum suam, dedit eis ad comedendum, recepit ab eis forcipes, dedit eis unam capam, unam camisiam, unam tunicam, unam quar

tam frumenti, duxit Valdenses ad hereticos ad disputandum in die Pasche, associavit hereticos, fuit depositarius eorum, et multociens audivit predicationem hereticorum, credebat quod essent boni homines, et, si moreretur, vellet mori in manibus eorum, tociens adoravit eos quod non recordatur.—Stabit Constantinopoli per tres annos, de cruce et via sicut alii, et tenebit pauperem quamdiu vixerit (fol. 208).

P. de Gaulenas vidit Valdenses et hereticos et locutus est cum eis in quadam navi, et cum audisset hereses quas dicebant, recessit ab eis.—Ibit ad Sanctum Jacobum (fol. 230).

P. Baco vidit Valdenses multociens et dedit eis eleemosynas et audivit predicationem Valdensium, et diligebat eos, et credebat quod essent boni homines, et frequenter dabat eis de suo, et interfuit cene Valdensium, et comedit de pane benedicto, vino et piscibus hereticorum et accepit pacem ab eis; item dedit Valdensibus ad comedendum in domo sua; item interfuit disputationi hereticorum et Valdensium, et dedit eis duodecim denarios.—Idem quod proximus (i. e. Ibit ad Podium, Sanctum Egidium, Sanctum Jacobum et Sanctum Thomam) et amplius ad Sanctum Dyonisium (fol. 231).

P. R. Boca dixit quod vidit multociens Valdenses et in diversis locis, et etiam habuit eos in domo sua, et audivit ibi monitiones eorum; item credebat quod essent boni homines; item pluries venit ad hereticos et audivit predicationem eorum, et alibi vidit hereticos et accepit pacem ab ipsis hereticis; item tercio vidit hereticos et adoravit eos; item quarto vidit hereticos et audivit predicationem eorum et adoravit eos; item recepit in porticu suo hereticum, et duxit eum inde ad quemdam locum, et dedit cuidam heretico unam capam; item credidit a principio quod Valdenses erant boni homines, et idem credidit postea de hereticis.—Stabit Constantinopoli tribus annis, de cruce et via sicut alii (fol. 232).

P. Lanes senior dixit quod vidit Valdenses et dedit eis eleemosinam, et uxor sua dedit se Valdensibus in morte et fuit sepulta in cimiterio eorum, ipse tamen absens erat, ut dixit, et vidit alibi Valdenses.—Ibit ad Podium, Sanctum Egidium et Sanctum Jacobum (fol. 232).

Johannes Toset dixit quod multociens vidit hereticos et in diversis locis, et fuit presens quando quidam fecit se hereticum apud Rabastens, et tunc vidit multos hereticos ibi; item audivit predicationem hereticorum et adoravit eos bis; item dedit sorori sue heretice pluries denarios; item associavit hereticos; item associavit avunculum suum quando fecit se hereticum apud Villamur; item consuluit Valdensibus pro infirmitate sua, et credidit quod essent boni homines. —Stabit tribus annis Constantinopoli, de cruce et via sicut alii (fol. 232–33).

Ramon Carbonel vidit multos Valdenses et in diversis locis, et induxit fratrem suum ut solveret solidos ducentos Valdensibus legatos eis; item, interfuit

disputationi Valdensium et hereticorum; item, interfuit cene Valdensium et comedit de pane et piscibus benedictis ab eis, de vino bibit, et audivit predicationem eorum.—Ibit ad Podium, Sanctum Egidium, Sanctum Jacobum, Sanctum Dyonisium et Sanctum Thomam (fol. 234).

Jacobus Carbonel dixit quod frequenter venit ad scholas Valdensium et legebat cum eis; item interfuit disputationi hereticorum et Valdensium et comedit de pane et pisce benedictis ab eis, de vino bibit, et tunc erat duodecim annorum vel circa, et credidit quod Valdenses erant boni homines usque ad tempus quo ecclesia condemnavit eos.—Ibit ad Podium, Sanctum Egidium, Sanctum Jacobum et Sanctum Dyonisium (fol. 234).

Bartholomeus de Posaca dixit quod adduxit quemdam Valdensem ad uxorem suam infirmam, qui curam illius egit, et audivit predicationem Valdensium, et ex tunc dilexit eos, et venerunt pluries ad domum ejus, et faciebat eis eleemosinas dando eis panem et vinum et multociens et in diversis locis audivit predicationem eorum; item interfuit cene Valdensium et comedit ut supra; item pluries (accepit) pacem ab eis.—Ibit ad Podium, Sanctum Egidium, Sanctum Jacobum et Sanctum Thomam (fol. 236).

Guillelmus de Catus dixit quod cum frater suus et filia ejus infirmarentur adduxit Valdenses ad domum suam ut haberent curam eorum; item, audivit expositionem evangelii a quodam Valdensi; item aliquando iverunt Valdenses ad restringendum dolium suum et tunc dedit eis ad comedendum; item aliquando volebat eis facere eleemosinas sed nolebant accipere; item aliquando accepit pacem ab eis et audivit admonitiones eorum; item credidit quod essent boni homines, et ea quæ dicebant et faciebant placebant ei.—Ibit ad Podium, Sanctum Egidium, Sanctum Jacobum et Sanctum Dyonisium (fol. 236).

P. Austorcs audivit multociens predicationem Valdensium dum predicarent publice in viis; item quidam apportavit sibi de pane pisceque benedicto a Valdensibus et comedit; item credidit quod essent boni homines et quod homo posset salvari cum ipsis; item dixit quod postquam audivit quod ecclesia condamnaverat eos non dilexit eos.—Ibit ad Podium, Sanctum Egidium et Sanctum Jacobum (fol. 237–8).

Domina de Coutas vidit Valdenses publice predicantes, et dabat eis eleemosinas, et venit ad domum in qua manebant et audivit predicationem eorum, et multociens ivit ad eos pro quodam infirmo; item in die Parasceves venit bis ad Valdenses et audivit predicationem eorum, et confessa fuit Valdensi cuidam peccata sua, et accepit penitentiam a Valdense; item credebat quod essent boni homines; item vidit hereticos et comedit cum eis cerasa; et dicebatur quod esset reconciliata; item vidit alibi pluries hereticos; item comedit de pane signato a Valdensibus.—Idem quod proxima excepta cruce (i. e. Ibit ad Podium, Sanctum Egidium, Sanctum Jacobum, Sanctum Thomam) (fol. 241).

B. Remon vidit Valdenses, et audivit predicationem eorum et credebat quod essent boni homines; item, ivit ad hereticos volens tentare qui essent meliores, Valdenses vel heretici, et ibi audivit predicationem eorum; item alibi locutus est cum hereticis, et adoravit eos postquam fuerat confessus quedam de predictis fratri Guillelmo de Belvais; item adduxit sororem suam hereticatam a Tholosa usque ad Montemalbanum, et conduxit eam et alias hereticas usque ad quemdam mansum; item venit ad ipsas et portavit eis piscem et bibit cum eis; item rogavit quemdam quod reciperet illas hereticas in manso suo, quod et fecit, et promisit ei quinquaginta solidos; item, alia vice comedit cum hereticis; item fecit donum dictis hereticis et audivit predicationem eorum et comedit cum eis; item, apportavit hereticis fructus; item, fecit tunicam et capam sorori sue heretice; item, vidit hereticos et credebat quod essent boni homines et haberent bonam fidem, et comedit de pane signato ab eis; item, disputavit cum quodam de fide hereticorum et Valdensium, et approbavit fidem hereticorum.—Stabit Constantinopoli tribus annis, de cruce et via sicut alii (fol. 242).

G. Macips vidit Valdenses qui habuerunt curam ejus in infirmitate sua, et pluries venerunt ad domum ipsius et audivit admonitiones eorum, et dedit eis pluries eleemosinas, et credebat quod essent boni homines; item, posuit fidejussorem quemdam hereticum pro eo pro quindecim solidis; item, vidit hereticos et audivit admonitionem eorum; item, vidit hereticos et audivit predicationem eorum, et promisit cuidam heretico servitium suum.—Ibit ad Podium, Sanctum Egidium, Sanctum Jacobum, Sanctum Salvatorem, Sanctum Dyonisium et Sanctum Thomam (fol. 246).

Guillelmus Laurencii vidit hereticos predicantes, et interfuit disputationi hereticorum et Valdensium, et fecit sibi fieri emplastrum a Valdensibus.—Ibit ad Podium, Egidium et Sanctum Jacobum (fol. 250).

J. Austorcs vidit hereticos multociens et adoravit eos multociens, et audivit predicationem eorum multociens, et comedit de pane benedicto ab hereticis et de nucibus; item vidit hereticos alibi; item dixit quod multociens vidit et in diversis locis et temporibus, et quotiens videbat hereticos adorabat eos semel; item, vidit Valdenses et audivit predicationem eorum multociens, et dedit eis panem et vinum multociens, et credebat quod essent boni homines.—Stabit Constantinopoli tribus annis, de cruce et via sicut alii (fol. 256).

A. Capra dixit quod multociens duxit quemdam Valdensem ad domum suam pro infirmitate sue uxoris et dedit Valdensibus multociens panem et vinum et carnes; item, dixit quod portavit panem et piscem Valdensibus ad domum suam; item, dixit quod audivit predicationem Valdensium; item, dixit se audivisse predicationem eorum in platea multociens; item, in die Pasche dedit Valdensibus carnes et comedit de cena Valdensium.—Ibit ad Podium, Sanctum Egidium, Sanctum Jacobum et Sanctum Thomam (fol. 257).

B. Clavelz vidit Valdenses et audivit predicationem eorum in plateis et interfuit cene Valdensium et cenavit cum eis in die Jovis cene, et audivit ibi predicationem eorum, et dedit eis multociens panem et vinum, et credebat quod essent boni homines.—Ibit ad Podium, Sanctum Egidium, Sanctum Jacobum et Sanctum Dyonisium (fol. 258).

XI.

Letters of Charles I. of Naples.

1.

(Archivio di Napoli, Anno 1269, Reg. 3, Lettera A, fol. 64.)

Scriptum est comitibus, marchionibus, baronibus, potestatis et consulibus civitatum et villarum comitatibus, ac omnibus aliis potestatem et jurisdictionem habentibus et aliis amicis et fidelibus suis ad quos presentes littere pervenerint salutem et omne bonum. Cum dilecti nobis in Christo fratres predicatores in terris carissimi domini et nepotis nostri illustris regis Francie inquisitores heretice pravitatis auctoritate apostolica deputati in Lombardia et ad alias partes ytalie sane intelleximus proficisci intendant seu mittere nuncios speciales ad explorandos ibi hereticos et alios pro heresi fugitivos qui de terris predictis aufugerent et se ad partes ytalie transtulerunt et pro ipsis hereticis et fugitivis ad loca unde aufugerint per se vel per eosdem nuncios reducendis, rogamus et requerimus quatenus eisdem fratribus vel predictis eorum nuntiis presentium portatoribus in exigendis predictis vestrum impendatis consilium auxilium et favorem ut per terras et potestates vestras ipsos salvo et secure cum rebus societatis et familia suis conducatis et conduci faciatis eundo redeundo et morando. Ad salvamentum et liberationem eorum efficaciter intendentes quocies sibi necesse fuerit et vos inde credederint requirendos. Datum apud urbem veterem penultimo madii primæ indictionis.

2.

(Anno 1269, Registro 4, Lettera B, fol. 47.)

Scriptum est universis justitiariis secretis baiulis judicibus magistris juratis ceterisque officialibus atque fidelibus suis per regnum sicilie constitutis etc. Cum religiosus vir frater benvenutus ordinis Minorum inquisitor heretice pravitatis Regebatium et Jacobucium familiares suos latores presentium pro capiendis quibusdam hereticis per diversas partes regni nostri morantibus quorum nomina inferius continentur mittat ad presens et petiverit nostrum sibi ad hoc favorem et auxilium exhiberi fidelitati tue precipiendo mandamus quatenus ad requisitionem dictorum nunciorum vel alterius eorumdem omnes hujusmodi hereticos cum bonis eorum omnibus tam stabilibus quam mobilibus seseque moventibus capientes faciatis personas illorum in locis tutis cum summa diligentia custodiri. Bona vero ipsorum ad opus nostre curie fideliter et solliciter conservari. Attentius provisuri ne in hoc aliquem adhibeatis negligentiam vel defectum sicut divinam et nostram indignationem cupitis evitare et nihilominus de hiis que ceperi-

tis faciatis fieri quatuor publica consimilia instrumenta, quorum uno penes vos retento alio penes eum qui bona ipsa custodierit dimisso, tercium ad cameram nostram et quartum ad magistros rationales magne nostre curie destinetis. Nomina vero hereticorum ipsorum sunt hec (sequuntur nomina 67). Datum in obsidione lucerie XII. Augusti decime secunde indictionis.

3.

(Anno 1269, Reg. 6, Lettera D, fol. 135.)

Karolus etc. Berardo de Rajona militi etc. Cum te ad justitiariatum aprutii et comitatus molisii pro inveniendis et capiendis patarenis hereticis ac receptatoribus et fautoribus eorum specialiter duximus destinandum fidelitati tue districte precipiendo mandamus quatenus ad partes illas etc. personaliter conferens in inveniendis et capiendis ipsis omnem curam quam poteris et diligentiam et sollicitudinem studeas adhibere, ita quod possis exinde in conspectu nostre celsitudinis commendabili merito apparere. Nos enim scribimus omnibus officialibus nostris ceterisque in eisdem partibus constitutis ut super hiis celeriter exequendis dent tibi consilium et auxilium opportunum. Datum Neapoli XIII. Decembris XIII. indictionis.

4.

(Anno 1270, Reg. 9, Lettera C, fol. 39.)

Xiiij Martii Neapoli scriptum est Johannutio de Pando magistro portulano et procuratori curie in principatu et terra laboris etc. Quia ex insinuatione fratris Mathei de Castro Maris inquisitoris in regno Sicilie heretice pravitatis intelleximus quod idem frater Matheus nuper invenerit in civitate beneventana tres patarenos, unum videlicet lombardum nomine Andream de Vivi Mercato, alium nomine Judicem Johannem de zeccano, et tertium Thomasium Russum nomine de Maula saracena quos judicavit relapsos et tradi fecit ignibus et comburi, quorum bona omnia sunt regie curie tanquam bona Patarenorum juste et rationabiliter applicata, Devotioni tue etc. quatenus statim receptis presentibus de bonis omnibus tam stabilibus quam mobilibus et semoventibus ipsorum Paterenorum cum omni diligentia inquirere studeas, quibus *inventis* et captis debeas ea pro parte curie fideliter procurare, faciens redigi in quaterno uno transumptum inquisitionis ipsius in quo quaterno contineantur etiam bona omnia quo ceperis, quantitatem et qualitatem ipsorum in quibuscumque consistant et ubi ac valorem annuum eorumdem: quem quaternum cum litteris tuis continentibus processum tuum totum quem in premissis hujusmodi sub sigillo tuo etc. sine dilatione transmittas, in quo quaterno similiter redigi facias formam presentium litterarum. Datum Neapoli ut supra.

5.

(Anno 1271, Reg. 10, Lettera B, fol. 96.)

Pro fratre Trojano inquisitore heretice pravitatis.—Item scriptum est cabellotis seu credentiariis super ferro, pice, et sale Neapolis ut cum scriptum fuerit eis

alias ut de pecnnia curie etc. fratri Trojano inquisitori heretice pravitatis in justitiariatu provincie terre laboris et aprutii de proventibus ferri picis et salis Neapolis ad requisitionem suam pro expensis suis, alterius socii fratis sui et unius notarii et trium aliarum personarum et equorum suorum pro mensibus martii aprilis madii junii julii et augusti presentis XIIII indictionis ad rationem de augustali uno per diem uncias auri XLVII ponderis generalis in principio videlicet dicti mensis martii deberent ecclesie exhibere etiam mandatum est sub pena dupli ut dictam pecuniam juxta continentiam predictarum litterarum eidem fratri Trojano vel nuncio etc. persolvant. Datum ut supra (apud Montem Flasconem XVIII Martii, XIV indictionis).

XII.

Letters of Charles II. of Naples Ordering the Prosecution of a Relapsed Heretic.

(MSS. Chioccarelli, T. VIII.)

Scriptum est religioso viro Fratri Roberto de Sancto Valentino Inquisitori in Regno Siciliæ post salutem. Olim religioso viro Fratri Benedicto prædecessori tno in eodem inquisitionis officio post salutem scripsisse dicimur in hæc verba. Veridica nuper accepimus relatione quod te ex officio tuo contra hæreticæ pravitatis infectos inquirente Petrus de Bucclanico ipsius castri archipresbyter de pluribus articulis contra fidem Catholicam inventns est labefactus, cumque satis expediat in contemptæ religionis vindictam ad reprimendum tam damnabile exemplum hæreticæ pravitatis te satis iusurgere viribus ad celerem punitionem tam enormis criminis fidelitati tuæ mandamus quatenus statim receptis presentibus sic omni specie corruptionis procul ejecta in præmissis contra dictum archipresbyterum tam fideliter prosequaris processum quod inde Deo placens honori ordinis tui deservias et apud nos qui dicti negotii plenam habemus fidem et notitiam dignas tibi laudes valeas vindicare. Datum apud Monasterium Regalis Vallis die 10 mensis Martii 4 Indict (1306).—Noviter autem facta nobis assertio continebat quod memoratus archipresbyter ad vomitum rediens in ejusdem hæreticæ pravitatis laqueum est relapsum, quod si veritate fulcitur de tanta profecto obstinatione turbati devotionem tuam attenta exhortatione requirimus ut tam ex processu dicti prædecessoris tui contra dictum archipresbyterum ab olim habito quam habendo per te ut cupimus denuo contra eum meritis (?) sive indagine in prædictis sic tuæ disciplinæ virga in dictum archipresbyterum proinde desæviat aspere ut impunitate non gaudeat hostis fidei orthodoxæ. Tuque propterea digna apud Denm et nos laude attolaris. Datum Neapoli apud Bartholomæum de Capua militem Logothetam et Prothonotarium Regni Siciliæ auno Domini 1307 (1308) die ultimo Augusti, 6 Indict. Regnorum nostrorum anno 24.

XIII.

Oath of the Doge of Venice in 1249.

(Archivio di Venezia. Codice ex Brera No. 277.)

Promissio Domini Marini Mauroceno.

In nomine dei eterni amen. Anno ab incarnatione domini nostri Jesu Christi millesimo ducentesimo quadragesimo nono meuse Junii die terciodecimo intrante indictione septima Rivoalto. In palatio ducatus Veneciarum feliciter amen. . . . Ad honorem dei et sacrosancte matris Ecclesie et robur et defensionem fidei catholice studiosi erimus cum consilio nostrorum consiliariorum vel maioris partis quod probi et discreti et catholici viri eligantur et constituantur super inquirendis hereticis in venecia. Et omnes illos qui dati erunt pro hereticis per dominum Patriarchum Gradensem, Episcopum Castellanum vel per alios episcopos provincie duchatus Veneciarum a Grado videlicet usque ad caput aggeris comburi faciemus de consilio nostrorum consiliariorum vel maioris partis ipsorum. . . . Ego Marinus Maurocenus Dei gratia Dux manu mea subscripsi.

Capitulare super Patarenis et Usurariis (1256).

(Dal Registro intitulato, Capitolari di piu Magistrati riformato nell' anno 1376. Miscellanea Codici, No. 133, p. 121.)

Item juro quod amodo usque ad unum annum et per totum ipsum annum simul cum meis vel cum altero eorum studiosus ero bona fide siue fraude ad inquirendum et inveniendum patarenos hereticos et suspectos de heresi tam venetos quam forinsecos in civitate Rivoalti et si quem talem vel tales invenero secretum aput me habebo et quam cito potero bona fide sine fraude denunciabo domino Duci et consiliariis ejus vel aliis quibus per dominum ducem et suum consilium fuerint hoc commissum. Hec autem omnia observabo bona fide sine fraude remoto odio vel amore prece vel precio, et servitium inde non tollam nec faciam tolli. Item attendam et observabo ea que continentur in capitulari maioris consilii.—Si autem secundo in eodem crimine quis fuerit depreensus penam predictam incurrat et bannizetur et expellatur de veneciis si forinsecus fuerit venetus autem quociens inventus fuerit penam incurrat predictam excepto quod de veneciis non bannizetur nec expellatur. Post anno domini millesimo ducentesimo quinquagesimo quinto (1256) indictione XIIII. mense februarii fuit hoc additum in presente capitulare.

End of Vol. II.

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A HISTORY OF THE INQUISITION OF THE MIDDLE AGES

VOLUME 3

HENRY CHARLES LEA

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A History of the Inquisition of the Middle Ages

Volume 3

Henry Charles Lea

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A HISTORY OF THE INQUISITION

Vol III.

A HISTORY OF

THE INQUISITION

OF

THE MIDDLE AGES

BY

HENRY CHARLES LEA

AUTHOR OF

"AN HISTORICAL SKETCH OF SACERDOTAL CELIBACY," "SUPERSTITION AND FORCE,"
"STUDIES IN CHURCH HISTORY"

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THE INQUISITION.

BOOK III.

SPECIAL FIELDS OF INQUISITORIAL ACTIVITY.

CHAPTER I.

THE SPIRITUAL FRANCISCANS.

In a former chapter we considered the Mendicants as an active agency in the suppression of heresy. One of the Orders, however, by no means restricted itself to this function, and we have now to examine the career of the Franciscans as the subjects of the spirit of persecuting uniformity which they did so much to render dominant.

While the mission of both Orders was to redeem the Church from the depth of degradation into which it had sunk, the Dominicans were more especially trained to take part in the active business of life. They therefore attracted the more restless and aggressive spirits; they accommodated themselves to the world, like the Jesuits of later days, and the worldliness which necessarily came with success awakened little antagonism within the organization. Power and luxury were welcomed and enjoyed. Even Thomas Aquinas, who, as we have seen, eloquently defended, against William of Saint-Amour, the superlative holiness of absolute poverty, subsequently admitted that poverty should be proportioned to the object which an Order was fitted to attain.*

* Th. Aquin. Summ. Sec. Sec. Q. clxxxviii. art. 7. ad 1.

It was otherwise with the Franciscans. Though, as we have seen, the founders determined not to render the Order a simply contemplative one, the salvation of the individual through retreat from the world and its temptations bore a much larger part in their motives than in those of Dominic and his followers.* Absolute poverty and self-abnegation were its primal principles, and it inevitably drew to itself the intellects which sought a refuge from the temptations of life in self-absorbing contemplation, in dreamy speculation, and in the renunciation of all that renders life attractive to average human nature. As the organization grew in wealth and power there were necessarily developed within its bosom antagonisms in two directions. On the one hand, it nourished a spirit of mysticism, which, though recognized in its favorite appellation of the Seraphic Order, sometimes found the trammels of orthodoxy oppressive. On the other, the men who continued to cherish the views of the founders as to the supreme obligation of absolute poverty could not reconcile their consciences to the accumulation of wealth and its display in splendor, and they rejected the ingenious devices which sought to accommodate the possession of riches with the abnegation of all possession.

In fact, the three vows, of poverty, obedience, and chastity, were all equally impossible of absolute observance. The first was irreconcilable with human necessities, the others with human passions. As for chastity, the whole history of the Church shows the impracticability of its enforcement. As for obedience, in the

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* Even the great Franciscan preacher, Berthold of Ratisbon (who died in 1272) will concede only qualified merit to those who labor to save the souls of their fellow-creatures, and such labors can easily be carried to excess. The duty which a man owes to his own soul, in prayer and devotion, is of much greater moment. — Beati Fr. Bertholdi a Ratisbona Sermones (Monachii, 1882, p. 29). See also his comparison of the contemplative with the active life. The former is Rachael, the latter is Leah, and is most perilous when wholly devoted to good works (Ib. pp. 44–5).

So the great Spiritual Franciscan, Pierre Jean Olivi—"Est igitur totius rationis summa, quod contemplatio est ex suo genere perfectior omni alia actione," though he admits that a lesser portion of time may allowably be devoted to the salvation of fellow-creatures.—Franz Ehrle, Archiv für Litteratur- und Kirchengeschichte, 1887, p. 503.

sense attached to it of absolute renunciation of the will, its incompatibility with the conduct of human affairs was shown at an early period, when Friar Haymo of Feversham overthrew Gregory, the Provincial of Paris, and, not long afterwards, withstood the general Elias, and procured his deposition. As for poverty, we shall see to what inextricable complications it led, despite the efforts of successive popes, until the imperious will and resolute common-sense of John XXII. brought the Order from its seraphic heights down to the every-day necessities of human life—at the cost, it must be confessed, of a schism. The trouble was increased by the fact that St. Francis, foreseeing the efforts which would be made to evade the spirit of the Rule, had, in his Testament, strictly forbidden all alterations, glosses, and explanations, and had commanded that these instructions should be read in all chapters of the Order. With the growth of the Franciscan legend, moreover, the Rule was held to be a special divine revelation, equal in authority to the gospel, and St. Francis was glorified until he became a being rather divine than human.*

Even before the death of the founder, in 1226, a Franciscan is found in Paris openly teaching heresies—of what nature we are not told, but probably the mystic reveries of an overwrought brain. As yet there was no Inquisition, and, as he was not subject to episcopal jurisdiction, he was brought before the papal legate, where he asserted many things contrary to the orthodox faith, and was imprisoned for life. This foreshadowed much that was to follow, though there is a long interval before we hear again of similar examples.†

The more serious trouble concerning poverty was not long in developing itself. Next to St. Francis himself in the Order stood Elias. Before Francis went on his mission to convert the Soldan he had sent Elias as provincial beyond the sea, and on his return from the adventure he brought Elias home with him. At the first general chapter, held in 1221, Francis being too much en-

* Thom. de Eccleston de Adventu Minorum Coll. v.—S. Francis. Testament. (Opp. 1849, p. 48).—Nicolai. PP. III. Bull. *Exiit qui seminat* (Lib. v. Sexto xii. 3).—Lib. Sententt. Inq. Tolos. pp. 301, 303.

† Chron. Turonens. ann. 1226 (D. Bouquet, XVIII. 319).—Alberic. Trium Font. Chron. ann. 1228.

feebled to preside, Elias acted as spokesman and Francis sat at his feet, pulling his gown when he wanted anything said. In 1223 we hear of Cæsarius, the German provincial, going to Italy "to the blessed Francis or the Friar Elias." When, through infirmity or inability to maintain discipline, Francis retired from the generalate, Elias was vicar-general of the Order, to whom Francis submitted himself as humbly as the meanest brother, and on the death of the saint, in October, 1226, it was Elias who notified the brethren throughout Europe of the event, and informed them of the Stigmata, which the humility of Francis had always concealed. Although in February, 1227, Giovanni Parenti of Florence was elected general, Elias seems practically to have retained control. Parties were rapidly forming themselves in the Order, and the lines between them were ever more sharply drawn. Elias was worldly and ambitious; he had the reputation of being one of the ablest men of affairs in Italy; he could foresee the power attaching to the command of the Order, and he had not much scruple as to the means of attaining it. He undertook the erection of a magnificent church at Assisi to receive the bones of the humble Francis, and he was unsparing in his demands for money to aid in its construction. The very handling of money was an abomination in the eyes of all true brethren, yet all the provinces were called upon to contribute, and a marble coffer was placed in front of the building to receive the gifts of the pious. This was unendurable, and Friar Leo went to Perugia to consult with the blessed Gilio, who had been the third associate to join St. Francis, who said it was contrary to the precepts of the founder. "Shall I break it, then?" inquired Leo. "Yes," replied Gilio, "if you are dead, but if you are alive, let it alone, for you will not be able to endure the persecution of Elias." Notwithstanding this warning, Leo went to Assisi, and with the assistance of some comrades broke the coffer; Elias filled all Assisi with his wrath, and Leo took refuge in a hermitage.*

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* Frat. Jordani Chron. c. 9, 14, 17, 31, 50 (Analecta Franciscana, Quaracchi, 1885, I. 4-6, 11, 16).—S. Francis. Testament. (Opp. p. 47); Ejusd. Epistt. vi., vii., viii. (Ib. 10-11).—Amoni Legenda S. Francisci, p. 106 (Roma, 1880).—Wadding. ann. 1229, No. 2.—Chron. Glassberger ann. 1227 (Analect. Franciscana II. p. 45).

When the edifice was sufficiently advanced, a general chapter was held in 1230 to solemnize the translation of the saintly corpse. Elias sought to utilize the occasion for his own election to the generalate by summoning to it only those brethren on whose support he could reckon, but Giovanni got wind of this and made the summons general. Elias then caused the translation to be effected before the brethren had assembled; his faction endeavored to forestall the action of the chapter by carrying him from his cell, breaking open the doors, and placing him in the general's seat. Giovanni appeared, and after tumultuous proceedings his friends obtained the upper hand; the disturbers were scattered among the provinces, and Elias retreated to a hermitage, where he allowed his hair and beard to grow, and through this show of sanctity obtained reconciliation to the Order. Finally, in the chapter of 1232, his ambition was rewarded. Giovanni was deposed and he was elected general.*

These turbulent intrigues were not the only evidence of the rapid degeneracy of the Order. Before Francis's Testament was five years old his commands against evasions of the Rule by cunning interpretations had been disregarded. The chapter of 1231 had applied to Gregory IX. to know whether the Testament was binding upon them in this respect, and he replied in the negative, for Francis could not bind his successors. They also asked about the prohibition to hold money and property, and Gregory ingeniously suggested that this could be effected through third parties, who could hold money and pay debts for them, arguing that such persons should not be regarded as their agents, but as the agents of those who gave the money or of those to whom it was to be paid. These elusory glosses of the Rule were not accepted without an energetic opposition which threatened a schism, and it is easy to imagine the bitterness with which the sincere members of the Order watched its rapid degeneracy; nor was this bitterness diminished by the use which Elias made of his position. His carnality and cruelty, we are told, convulsed the whole Order. His rule was arbitrary, and for seven years, in defiance of the regulations, he held no general chapter. He levied exactions on all the

* Thomæ de Eccleston Collat. XII.—Jordani Chron. c. 61 (Analecta Franc. I. 19).—Chron. Anon. (Ib. I. 289).

provinces to complete the great structure at Assisi. Those who resisted him were relegated to distant places. Even while yet only vicar he had caused St. Anthony of Padua, who had come to Assisi to worship at the tomb of Francis, to be scourged to the blood, when Anthony only expostulated with, "May the blessed God forgive you, brethren!" Worse was the fate of Cæsarius of Speier, who had been appointed Provincial of Germany in 1221 by St. Francis himself, and had built up the Order to the north of the Alps. He was the leader of the puritan malcontents, who were known as Cæsarians, and he felt the full wrath of Elias. Thrown into prison, he lay there in chains for two years. At length the fetters were removed, and, early in 1239, his jailer having left the door of his cell open, he ventured forth to stretch his cramped limbs in the wintry sun. The jailer returned and thought that he was attempting to escape. Fearing the pitiless anger of Elias, he rushed after the prisoner and dealt him a mortal blow with a cudgel. Cæsarius was the first, but by no means the last, martyr who shed his blood for the strict observance of a Rule breathing nothing but love and charity.*

The cup at last was full to overflowing. In 1237 Elias had sent visitors to the different provinces whose conduct caused general exasperation. The brethren of Saxony appealed to him from their visitor, and, finding this fruitless, they carried their complaint to Gregory. The pope at length was roused to intervene. A general chapter was convened in 1239, when, after a stormy scene in presence of Gregory and nine cardinals, the pope finally announced to Elias that his resignation would be received. Possibly in this there may have been political as well as ascetic motives. Elias was a skilful negotiator, and was looked upon with a friendly eye by Frederic II., who forthwith declared that the dis-

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* Gregor. PP. IX. Bull. *Quo elongati* (Pet. Rodulphii Hist. Seraph. Relig. Lib. II. fol. 164–5).—Rodulphii op. cit. Lib. II. fol. 177.—Chron. Glassberger, ann. 1230, 1231 (Analecta II. 59, 56).—Frat. Jordani Chron. c. 18, 19, 61 (Analecta I. 7, 8, 19).—Franz Ehrle (Archiv für Litt.- u. Kirchengeschichte, 1886, p. 123).—Wadding. ann. 1239, No. 5.

The ingenious casuistry with which the Conventuals satisfied themselves that the device of Gregory IX. enabled them to grow rich without transgressing the Rule is seen in their defence before Clement VI., in 1311, as printed by Franz Ehrle (Archiv für Litt.- u. Kirchengeschichte, 1887, pp. 107–8).

missal was done in his despite, for Elias was at the time engaged in an effort to heal the irremediable breach between the papacy and the empire. Certain it is that Elias at once took refuge with Frederic and became his intimate companion. Gregory made an effort to capture him by inviting him to a conference. Failing in this, a charge was brought against him of visiting poor women at Cortona without permission, and on refusing to obey a summons he was excommunicated.*

Thus already in the Franciscan Order there were established two well-defined parties, which came to be known as the Spirituals and the Conventuals, the one adhering to the strict letter of the Rule, the other willing to find excuses for its relaxation in obedience to the wants of human nature and the demands of worldliness. After the fall of Elias the former had the supremacy during the brief generalates of Alberto of Pisa, and Haymo of Feversham. In 1244 the Conventuals triumphed in the election of Crescenzio Grizzi da Jesi, under whom occurred what the Spirituals reckoned as the "Third Tribulation," for, in accordance with their apocalyptic speculations, they were to undergo seven tribulations before the reign of the Holy Ghost should usher in the Millennium. Crescenzio followed in the footsteps of Elias. Under Haymo, in 1242, there had been an attempt to reconcile with the Rule Gregory's declaration of 1231. Four leading doctors of the Order, with Alexander Hales at their head, had issued the *Declaratio Quatuor Magistrorum*, but even their logical subtlety had failed. The Order was constantly growing, it was constantly acquiring property,

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* Jordani Chron. c. 62, 63 (Analecta I. 18–19).—Thomæ de Eccleston Collat. XII.—Chron. Glassberger, ann. 1239 (Analecta II. 60–1).—Huillard-Bréholles, Introd. p. DIII.; Ib. VI. 69–70.

Elias still managed to excite disturbance in the Order; he died excommunicate, and a zealous Franciscan guardian had his remains dug up and cast upon a dunghill. Frà Salimbene gives full details of his evil ways, and the tyrannous maladministration which precipitated his downfall. After his secession to Frederic II. a popular rhyme was current throughout Italy—

"Hor attorna fratt Helya,
Ke pres' ha la mala via."

Salimbene Chronica, Parma, 1857, pp. 401–13.

Affò, however, asserts that he was absolved on his death-bed.—Vita del Beato Gioanni di Parma, Parma, 1777, p. 81. Cf. Chron. Glassberger ann. 1243–4.

and its needs were constantly increasing. A bull of Gregory IX. in 1239, authorizing the Franciscans of Paris to acquire additional land with which to enlarge their monastery of Saint-Germain-des-Près, is an example of what was going on all over Europe. In 1244, at the chapter which elected Crescenzio, the Englishman, John Kethene, succeeded, against the opposition of nearly the whole body of the assembly, in obtaining the rejection of Gregory's definition, but the triumph of the Puritans was short-lived. Crescenzio sympathized with the laxer party, and applied to Innocent IV. for relief. In 1245 the pope responded with a declaration in which he not only repeated the device of Gregory IX. by authorizing deposits of money with parties who were to be regarded as the agents of donors and creditors, but ingeniously assumed that houses and lands, the ownership of which was forbidden to the Order, should be regarded as belonging to the Holy See, which granted their use to the friars. Even papal authority could not render these transparent subterfuges satisfying to the consciences of the Spirituals, and the growing worldliness of the Order provoked continuous agitation. Crescenzio before taking the vows had been a jurist and physician, and there was further complaint that he encouraged the brethren in acquiring the vain and sterile science of Aristotle rather than in studying divine wisdom. Under Simone da Assisi, Giacopo Manfredo, Matteo da Monte Rubiano, and Lucido, seventy-two earnest brethren, finding Crescenzio deaf to their remonstrances, prepared to appeal to Innocent. He anticipated them, and obtained from the pope in advance a decision under which he scattered the recalcitrants in couples throughout the provinces for punishment. Fortunately his reign was short. Tempted by the bishopric of Jesi, he resigned, and in 1248 was succeeded by Giovanni Borelli, better known as John of Parma, who at the time was professor of theology in the University of Paris.*

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* Thomæ de Ecclest. Collat. VIII., XII.—Wadding. ann. 1242, No. 2; ann. 1245, No. 16.—Potthast No. 10825.—Angeli Clarinens. Epist. Excusator (Franz Ehrle, Archiv für Litt.- u. Kirchengeschichte, 1885, p. 535; 1886, pp. 113, 117, 120).—Hist. Tribulation. (Ib. 1886, pp. 256 sqq.).

The *Historia Tribulationum* reflects the contempt of the Spirituals for human learning. Adam was led to disobedience by a thirst for knowledge, and returned to grace by faith and not by dialectics, or geometry or astrology. The evil in-

The election of John of Parma marked a reaction in favor of strict observance. The new general was inspired with a holy zeal to realize the ideal of St. Francis. The exiled Spirituals were recalled and allowed to select their own domiciles. During the first three years John visited on foot the whole Order, sometimes with two, and sometimes with only one companion, in the most humble guise, so that he was unrecognized, and could remain in a convent for several days, observing its character, when he would reveal himself and reform its abuses. In the ardor of his zeal he spared the feelings of no one. A lector of the Mark of Ancona, returning home from Rome, described the excessive severity of a sermon preached by him, saying that the brethren of the Mark would never have allowed any one to say such things to them; and when asked why the masters who were present had not interfered, he replied, "How could they? It was a river of fire which flowed from his lips." He suspended the declaration of Innocent IV. until the pontiff, better informed, could be consulted. It was, however, impossible for him to control the tendencies to relaxation of the Rule, which were ever growing stronger, and his efforts to that end only served to strengthen disaffection which finally grew to determined opposition. After consultation between some influential members of the Order it was resolved to bring before Alexander IV. formal accusations against him and the friends who surrounded him. The attitude of the Spirituals, in fact, fairly invited attack.*

To understand the position of the Spirituals at this time, and

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dustry of the arts of Aristotle, and the seductive sweetness of Plato's eloquence are Egyptian plagues in the Church (Ib. 264-5). It was an early tradition of the Order that Francis had predicted its ruin through overmuch learning (Amoni, Legenda S. Francisci, App. cap. xi.).

Karl Müller (Die Anfänge des Minoritenordens, Freiburg, 1885, p. 180) asserts that the election of Crescenzio was a triumph of the Puritans, and that he was known for his flaming zeal for the rigid observance of the Rule. So far from this being the case, on the very night of his election he scolded the zealots (Th. Eccleston Collat. XII.), and the history of his generalate confirms the view taken of him by the Hist. Tribulationum. Affò (Vita di Gioanni di Parma, pp. 31-2) assumes that he endeavored to follow a middle course, and ended by persecuting the irreconcilables.

* Hist. Tribulat. (loc. cit. 1886, pp. 267-8, 274).—Affò, pp. 88-9, 54, 97-8.—Wadding. ann. 1256, No. 2.

subsequently, it is necessary to cast a glance at one of the most remarkable spiritual developments of the thirteenth century. Its opening years had witnessed the death of Joachim of Flora, a man who may be regarded as the founder of modern mysticism. Sprung from a rich and noble family, and trained for the life of a courtier under Roger the Norman Duke of Apulia, a sudden desire to see the holy places took him, while yet a youth, to the East, with a retinue of servitors. A pestilence was raging when he reached Constantinople, which so impressed him with the miseries and vanities of life that he dismissed his suite and continued his voyage as an humble pilgrim with a single companion. His legend relates that he fell in the desert overcome with thirst, and had a vision of a man standing by a river of oil, and saying to him, "Drink of this stream," which he did to satiety, and when he awoke, although previously illiterate, he had a knowledge of all Scripture. The following Lent he passed in an old well on Mount Tabor; in the night of the Resurrection a great splendor appeared to him, he was filled with divine light to understand the concordance of the Old and New Laws, and every difficulty and every obscurity vanished. These tales, repeated until the seventeenth century, show the profound and lasting impression which he left upon the minds of men.*

Thenceforth his life was dedicated to the service of God. Returning home, he avoided his father's house, and commenced preaching to the people; but this was not permissible to a layman, so he entered the priesthood and the severe Cistercian Order. Chosen Abbot of Corazzo, he fled, but was brought back and forced to assume the duties of the office, till he visited Rome, in 1181, and obtained from Lucius III. permission to lay it down. Even the severe Cistercian discipline did not satisfy his thirst for austerity, and he retired to a hermitage at Pietralata, where his reputation for sanctity drew disciples around him, and in spite of his yearning for solitude he found himself at the head of a new Order, of which the Rule, anticipating the Mendicants in its urgency of poverty, was approved by Celestin III. in 1196. Already it had spread from the mother-house of San Giovanni in Fiore, and numbered several other monasteries.†

* Tocco, L'Eresia nel Medio Evo, Firenze, 1884, pp. 265–70. — Profetie dell' Abate Gioachino, Venezia, 1646, p. 8.

† Tocco, op. cit. pp. 271–81.—Cœlestin. PP. III. Epist. 279.

Joachim considered himself inspired, and though in 1200 he submitted his works unreservedly to the Holy See, he had no hesitation in speaking of them as divinely revealed. During his lifetime he enjoyed the reputation of a prophet. When Richard of England and Philip Augustus were at Messina, they sent for him to inquire as to the outcome of their crusade, and he is said to have foretold to them that the hour had not yet come for the deliverance of Jerusalem. Others of his fulfilled prophecies are also related, and the mystical character of the apocalyptic speculations which he left behind him served to increase, after his death, his reputation as a seer. His name became one customarily employed for centuries when any dreamer or sharper desired to attract attention, and quite a literature of forgeries grew up which were ascribed to him. Somewhat more than a century after his death we find the Dominican Pipino enumerating a long catalogue of his works with the utmost respect for his predictions. In 1319 Bernard Délicieux places unlimited confidence in a prophetical book of Joachim's in which there were representations of all future popes with inscriptions and symbols under them. Bernard points out the different pontiffs of his own period, predicts the fate of John XXII., and declares that for two hundred years there had been no mortal to whom so much was revealed as to Joachim. Cola di Rienzo found in the pseudo-prophecies of Joachim the encouragement that inspired his second attempt to govern Rome. The Franciscan tract *De ultima Ætate Ecclesiæ*, written in 1356, and long ascribed to Wickliff, expresses the utmost reverence for Joachim, and frequently cites his prophecies. The *Liber Conformitatum*, in 1385, quotes repeatedly the prediction ascribed to Joachim as to the foundation of the two Mendicant Orders, symbolized in those of the Dove and of the Crow, and the tribulations to which the former was to be exposed. Not long afterwards the hermit Telesforo da Cosenza drew from the same source prophecies as to the course and termination of the Great Schism, and the line of future popes until the coming of Antichrist—prophecies which attracted sufficient attention to call for a refutation from Henry of Hesse, one of the leading theologians of the day. Cardinal Peter d'Ailly speaks with respect of Joachim's prophecies concerning Antichrist, and couples him with the prophetess St. Hildegarda, while the rationalistic Cornelius Agrippa endeavors

to explain his predictions by the occult powers of numbers. Human credulity preserved his reputation as a prophet to modern times, and until at least as late as the seventeenth century prophecies under his name were published, containing series of popes with symbolical figures, inscriptions, and explanations, apparently similar to the *Vaticinia Pontificum* which so completely possessed the confidence of Bernard Délicieux. Even in the seventeenth century the Carmelites printed the *Oraculum Angelicum* of Cyril, with its pseudo-Joachitic commentary, as a proof of the antiquity of their Order.*

Joachim's immense and durable reputation as a prophet was due not so much to his genuine works as to the spurious ones circulated under his name. These were numerous—Prophecies of Cyril, and of the Erythræan Sybil, Commentaries on Jeremiah, the *Vaticinia Pontificum*, the *De Oneribus Ecclesiæ* and *De Septem Temporibus Ecclesiæ*. In some of these, reference to Frederic II. would seem to indicate a period of composition about the year 1250, when the strife between the papacy and empire was at the hottest, and the current prophecies of Merlin were freely drawn upon in framing their exegesis. There can be little doubt that their authors were Franciscans of the Puritan party, and their fearless denunciations of existing evils show how impatient had grown the spirit of dissatisfaction. The apocalyptic prophecies

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* Lib. Concordiæ Præf. (Venet. 1519).—Fr. Francisci Pipini Chron. (Muratori S. R. I. IX. 498-500).—Rog. Hovedens. ann. 1190.—MSS. Bib. Nat., fonds latin, No. 4270, fol. 260-2.—Comba, La Riforma in Italia, I. 388.—Lechler's Wickliffe, Lorimer's Translation, II. 321.—Lib. Conformitat. Lib. I. Fruct. i. P. 2; Fruct. ix. P. 2 (fol. 12, 91).—Telesphori de magnis Tribulationibus Præem.—Henric. de Hassia contra Vaticin. Telesphori c. xi. (Pez Thesaur. I. II. 521).—Franz Ehrle (Archiv für Lit.- u. Kirchengeschichte, 1886, p. 331).—P. d'Ailly Concord. Astron. Veritat. c. lix. (August. Vindel. 1490).—H. Cornel. Agripp. de Occult. Philosoph. Lib. II. c. ii.

The *Vaticinia Pontificum* of the pseudo-Joachim long remained a popular oracle. I have met with editions of Venice issued in 1589, 1600, 1605, and 1646, of Ferrara in 1591, of Frankfort in 1608, of Padua in 1625, and of Naples in 1660, and there are doubtless numerous others.

Dante represents Bonaventura as pointing out the saints—

> "Raban è quivi, e lucemi dallato
> Il Calavrese abate Giovacchino
> Di spirito profetico dotato."—(Paradiso XII.).

were freely interpreted as referring to the carnal worldliness which pervaded all orders in the Church; all are reprobate, none are elect; Rome is the Whore of Babylon, and the papal curia the most venal and extortionate of all courts; the Roman Church is the barren fig-tree, accursed by Christ, which shall be abandoned to the nations to be stripped. It would be difficult to exaggerate the bitterness of antagonism displayed in these writings, even to the point of recognizing the empire as the instrument of God which is to overthrow the pride of the Church. These outspoken utterances of rebellion excited no little interest, especially within the Order itself. Adam de Marisco, the leading Franciscan of England, sends to his friend Grosseteste, Bishop of Lincoln, some extracts from these works which have been brought to him from Italy. He speaks of Joachim as one justly credited with divine insight into prophetic mysteries; he asks to have the fragments returned to him after copying, and meanwhile commends to the bishop's consideration the impending judgments of Providence which are invited by the abounding wickedness of the time.*

Of Joachim's genuine writings the one which, perhaps, attracted the most attention in his own day was a tract on the nature of the Trinity, attacking the definition of Peter Lombard, and asserting that it attributed a Quaternity to God. The subtleties of theology were dangerous, and in place of proving the Master of Sentences a heretic, Joachim himself narrowly escaped. Thirteen years after his death, the great Council of Lateran, in 1215, thought his speculation sufficiently important to condemn it as erroneous in an elaborate refutation, which was carried into the canon law, and Innocent III. preached a sermon on the subject to the assembled fathers. Fortunately Joachim, in 1200, had expressly submitted all his writings to the judgment of the Holy See and had declared that he held the same faith as that of Rome. The council, therefore, refrained from condemning him personally

* Pseudo-Joachim de Oneribus Ecclesiæ c. iii., xv., xvi., xvii., xx., xxi., xxii., xxiii., xxx.—Ejusd. super Hieremiam c. i., ii., iii., etc.—Salimbene p. 107.—Monumenta Franciscana p. 147 (M. R. Series).

The author of the Commentary on Jeremiah had probably been disciplined for freedom of speech in the pulpit, for (cap. i.) he denounces as bestial a license to preach which restricts the liberty of the spirit, and only permits the preacher to dispute on carnal vices.

and expressed its approbation of his Order of Flora; but notwithstanding this the monks found themselves derided and insulted as the followers of a heretic, until, in 1220, they procured from Honorius III. a bull expressly declaring that he was a good Catholic, and forbidding all detraction of his disciples.*

His most important writings, however, were his expositions of Scripture composed at the request of Lucius III., Urban III., and Clement III. Of these there were three—the Concordia, the Decachordon, or *Psalterium decem Cordarum*, and the *Expositio in Apocalypsin*. In these his system of exegesis is to find in every incident under the Old Law the prefiguration of a corresponding fact in chronological order under the New Dispensation, and by an arbitrary parallelism of dates to reach forward and ascertain what is yet to come. He thus determines that mankind is destined to live through three states—the first under the rule of the Father, which ended at the birth of Christ, the second under that of the Son, and the third under the Holy Ghost. The reign of the Son, or of the New Testament, he ascertains by varied apocalyptic speculations is to last through forty-two generations, or 1260 years—for instance, Judith remained in widowhood three years and a half, or forty-two months, which is 1260 days, the great number representing the years through which the New Testament is to endure, so that in the year 1260 the domination of the Holy Ghost is to replace it. In the forty-second generation there will be a purgation which will separate the wheat from the chaff—such tribulations as man has never yet endured: fortunately they will be short, or all flesh would perish utterly. After this, religion will be renewed; man will live in peace and justice and joy, as in the Sabbath which closed the labors of creation; all shall know God, from sea to sea, to the utmost confines of the earth, and the glory of the Holy Ghost shall be perfect. In that final abundance of spiritual grace the observances of religion will be no longer

* Concil. Lateran. IV. c. 2.—Theiner Monument Slavor. Meridional. I. 63.—Lib. I. Sexto, 1, 2 (Cap. *Damnamus*).—Wadding. ann. 1256, No. 8, 9.—Salimbene Chron. p. 103.

Nearly half a century later Thomas Aquinas still considered Joachim's speculations on the Trinity worthy of elaborate refutation, and near the close of the fourteenth century Eymerich reproduces the whole controversy.—Direct. Inquisit. pp. 4–6, 15–17.

requisite. As the paschal lamb was superseded by the Eucharist, so the sacrifice of the altar will become superfluous. A new monastic Order is to arise which will convert the world; contemplative monachism is the highest development of humanity, and the world will become, as it were, one vast monastery.*

In this scheme of the future elevation of man, Joachim recognized fully the evils of his time. The Church he describes as thoroughly given over to avarice and greed; wholly abandoned to the lusts of the flesh, it neglects its children, who are carried off by zealous heretics. The Church of the second state, he says, is Hagar, but that of the third state will be Sarah. With endless amplitude he illustrates the progressive character of the relations between God and man in the successive eras. The first state, under God, was of the circumcision; the second, under Christ, is of the crucifixion; the third, under the Holy Ghost, will be of quietude and peace. Under the first was the order of the married; under the second, that of the priesthood; under the third will be that of monachism, which has already had its precursor in St. Benedict. The first was the reign of Saul, the second that of David, the third will be that of Solomon enjoying the plenitude of peace. In the first, man was under the law, in the second under grace, in the third he will be under ampler grace. The people of the first state are symbolized by Zachariah the priest, those of the second by John the Baptist, those of the third by Christ himself. In the first state there was knowledge, in the second piety, in the third will be plenitude of knowledge; the first state was servitude, the second was filial obedience, the third will be liberty; the first state was passed in scourging, the second in action, the third will be in contemplation; the first was in fear, the second in faith, the third will be in love; the first was of slaves, the second of freemen, the third will be of friends; the first was of old men, the second of youths, the third will be of children; the first was starlight, the second dawn, the third will be perfect day; the first was winter, the second opening spring, the third will be summer; the first brought forth nettles, the second roses, the third will bear lilies;

* Joachimi Concordiæ Lib. IV. c. 31, 34, 38; Lib. V. c. 58, 63, 65, 67, 68, 74, 78, 89, 118.

Joachim was held to have predicted the rise of the Mendicants (v. 43), but his anticipations looked wholly to contemplative monachism.

the first was grass, the second grain in the ear, the third will be the ripened wheat; the first was water, the second wine, the third will be oil. Finally, the first belongs to the Father, creator of all things, the second to the Son, who assumed our mortal clay, the third will belong to the pure Holy Spirit.*

It is a very curious fact that while Joachim's metaphysical subtleties respecting the Trinity were ostentatiously condemned as a dangerous heresy, no one seems at the time to have recognized the far more perilous conclusions to be drawn from these apocalyptic reveries. So far from being burned as heretical, they were prized by popes, and Joachim was honored as a prophet until his audacious imitators and followers developed the revolutionary doctrines to which they necessarily led. To us, for the moment, their chief significance lies in the proof which they afford that the most pious minds confessed that Christianity was practically a failure. Mankind had scarce grown better under the New Law. Vices and passions were as unchecked as they had been before the coming of the Redeemer. The Church itself was worldly and carnal; in place of elevating man it had been dragged down to his level; it had proved false to its trust and was the exemplar of evil rather than the pattern of good. To such men as Joachim it was impossible that crime and misery should be the ultimate and irremediable condition of human life, and yet the Atonement had thus far done little to bring it nearer to the ideal. Christianity, therefore, could not be a finality in man's existence upon earth; it was merely an intermediate condition, to be followed by a further development, in which, under the rule of the Holy Ghost, the law of love, fruitlessly inculcated by the gospel, should at last become the dominant principle, and men, released from carnal passions,

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* Joachimi Concordiæ Lib. I. Tract. ii. c. 6; IV. 25, 26, 83; V. 2, 21, 60, 65, 66, 84.

The Commission of Anagni in 1255 by a strained interpretation of a passage in the Concordia (II. i. 7) accused Joachim of having justified the schism of the Greeks (Denifle, Archiv f. Litt.- u. K. 1885, p. 120). So far was he from this that he never loses an occasion of decrying the Oriental Church, especially for the marriage of its priests (*e. g.*, V. 70, 72). Yet when he asserted that Antichrist was already born in Rome, and it was objected to him that Babylon was assigned as the birthplace, he had no hesitation in saying that Rome was the mystical Babylon.—Rad. de Coggeshall Chron. (Bouquet, XVIII. 76).

should realize the glad promises so constantly held out before them and so miserably withheld in the performance. Joachim himself might seek to evade these deductions from his premises, yet others could not fail to make them, and nothing could be more audaciously subversive of the established spiritual and temporal order of the Church.

Yet for a time his speculations attracted little attention and no animadversion. It is possible that the condemnation of his theory of the Trinity may have cast a shadow over his exegetical works and prevented their general dissemination, but they were treasured by kindred spirits, and copies of them were carried into various lands and carefully preserved. Curiously enough, the first response which they elicited was from the bold heretics known as the Amaurians, whose ruthless suppression in Paris, about the year 1210, we have already considered. Among their errors was enumerated that of the three Eras, which was evidently derived from Joachim, with the difference that the third Era had already commenced. The power of the Father only lasted under the Mosaic Law; with the advent of Christ all the sacraments of the Old Testament were superseded. The reign of Christ has lasted till the present time, but now commences the sovereignty of the Holy Ghost; the sacraments of the New Testament—baptism, the Eucharist, penitence, and the rest—are obsolete and to be discarded, and the power of the Holy Ghost will operate through the persons in whom it is incarnated. The Amaurians, as we have seen, promptly disappeared, and the derivative sects—the Ortlibenses, and the Brethren of the Free Spirit—seem to have omitted this feature of the heresy. At all events, we hear nothing more of it in that quarter.*

Gradually, however, the writings of Joachim obtained currency, and with the ascription to him of the false prophecies which appeared towards the middle of the century his name became more widely known and of greater authority. In Provence and Languedoc, especially, his teachings found eager reception. Harried successively by the crusades and the Inquisition, and scarce as yet fairly reunited with the Church, those regions furnished an

* Rigord. de Gest. Phil. Aug. ann. 1210.—Guillel. Nangiac. ann. 1210.—Cæsar. Heisterb. dist. v. c. xxii.

ample harvest of earnest minds which might well seek in the hoped-for speedy realization of Joachim's dreams compensation for the miseries of the present. Nor did those dreams lack an apostle of unquestionable orthodoxy. Hugues de Digne, a hermit of Hyères, had a wide reputation for learning, eloquence, and sanctity. He had been Franciscan Provincial of Provence, but had laid down that dignity to gratify his passion for austerity, and his sister, St. Douceline, lived in a succession of ecstasies in which she was lifted from the ground. Hugues was intimate with the leading men of the Order; Alexander Hales, Adam de Marisco, and the general, John of Parma, are named as among his close friends. With the latter, especially, he had the common bond that both were earnest Joachites. He possessed all the works of Joachim, genuine and spurious, he had the utmost confidence in their prophecies, which he regarded as divine inspiration, and he did much to extend the knowledge of them, which was not difficult, as he himself had the reputation of a prophet.*

The Spiritual section of the Franciscans was rapidly becoming leavened with these ideas. To minds inclined to mysticism, filled with unrest, dissatisfied with the existing unfulfilment of their ideal, and longing earnestly for its realization, there might well be an irresistible fascination in the promises of the Calabrian abbot, of which the term was now so rapidly approaching. If these Joachitic Franciscans developed the ideas of their teacher with greater boldness and definiteness, their ardor had ample excuse. They were living witnesses of the moral failure of an effort from which everything had been expected for the regeneration of humanity. They had seen how the saintly teachings of Francis and the new revelation of which he had been the medium were perverted by worldly men to purposes of ambition and greed; how the Order, which should have been the germ of human redemption, was growing more and more carnal, and how its saints were martyred by their fellows. Unless the universe were a failure, and the promises of God were lies, there must be a term to

* Salimbene Chron. pp. 97–109, 124, 315–20.—Chron. Glassberger ann. 1286. —Vie de Douceline (Meyer, Recueil d'anciens Textes, pp. 142–46).

Salimbene, in enumerating the special intimates of John of Parma, characterizes several of them as "great Joachites."

human wickedness; and as the Gospel of Christ and the Rule of Francis had not accomplished the salvation of mankind, a new gospel was indispensable. Besides, Joachim had predicted that there would arise a new religious Order which would rule the world and the Church in the halcyon age of the Holy Ghost. They could not doubt that this referred to the Franciscans as represented by the Spiritual group, which was striving to uphold in all its strictness the Rule of the venerated founder.*

Such, we may presume, were the ideas which were troubling the hearts of the earnest Spirituals as they pondered over the prophecies of Joachim. In their exaltation many of them were themselves given to ecstasies and visions full of prophetic insight. Prominent members of the Order had openly embraced the Joachitic doctrines, and his prophecies, genuine and spurious, were applied to all events as they occurred. In 1248 Salimbene, the chronicler, who was already a warm believer, met at the Franciscan convent of Provins (Champagne) two ardent condisciples, Gherardo da Borgo San Donnino and Bartolommeo Ghiscolo of Parma. St. Louis was just setting forth on his ill-starred Egyptian crusade. The Joachites had recourse to the pseudo-Joachim on Jeremiah, and foretold that the expedition would be a failure, that the king would be taken prisoner, and that pestilence would decimate the host. This was not calculated to render them popular; the peace of the good brethren was sadly broken by quarrels, and the Joachites found it advisable to depart. Salimbene went to Auxerre, Ghiscolo to Sens, and Gherardo to Paris, where his learning secured for him admission to the university as the representative of Sicily, and he obtained a chair in theology. Here for four years he pursued his apocalyptic studies.†

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* Protocoll. Commiss. Anagniæ (Denifle, Archiv für Litteratur- und Kirchengeschichte, 1885, pp. 111-12).

† Hist. Tribulat. (ubi sup. pp. 178-9).—Salimbene, pp. 102, 233.

According to the exegesis of the Joachites, Frederic II. was to attain the age of seventy. When he died, in 1250, Salimbene refused to believe it, and remained incredulous until Innocent IV., in his triumphal progress from Lyons, came to Ferrara, nearly ten months afterwards, and exchanged congratulations upon it. Salimbene was present, and Frà Gherardino of Parma turned to him and said, "You know it now; leave your Joachim and apply yourself to wisdom" (Ib. pp. 107, 227).

Suddenly, in 1254, Paris was startled with the appearance of a book under the title of "The Everlasting Gospel"—a name derived from the Apocalypse—"And I saw another angel fly in the midst of heaven, having the everlasting gospel to preach unto them that dwell on the earth, and to every nation, and kindred, and tongue, and people" (Rev. xiv. 6). It consisted of Joachim's three undoubted works, with explanatory glosses, preceded by a long Introduction, in which the hardy author developed the ideas of the prophet audaciously and uncompromisingly. The daring venture had an immediate and immense popular success, which shows how profoundly the conviction which prompted it was shared among all classes. The rhymes of Jean de Meung indicate that the demand for it came from the laity rather than the clergy, and that it was sought by women as well as by men—

> "Ung livre de par le grant diable
> Dit l'Évangile pardurable . . .
> A Paris n'eust home ne feme
> Au parvis devant Nostre-Dame
> Qui lors avoir ne le péust
> A transcrire, s'il li pléust." *

Nothing more revolutionary in spirit, more subversive of the established order of the Church, can be conceived than the assertions which thus aroused popular sympathy and applause. Joachim's computations were accepted, and it was assumed absolutely that in six years, in 1260, the reign of Christ would end and the reign of the Holy Ghost begin. Already, in 1200, the spirit of life had abandoned the Old and New Testaments in order to give place to the Everlasting Gospel, consisting of the Concordia,

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* Renan, Nouvelles Études, p. 296.

Joachim had already used the term Everlasting Gospel to designate the spiritual interpretation of the Evangelists, which was henceforth to rule the world. His disciple naturally considered Joachim's commentaries to be this spiritual interpretation, and that they constituted the Everlasting Gospel to which he furnished a Gloss and Introduction. The Franciscans were necessarily the contemplative Order intrusted with its dissemination. (See Denifle, Archiv für Litteratur- etc., 1885, pp. 54-59, 61.) According to Denifle (pp. 67–70) the publication of Gherardo consisted only of the Introduction and the Concordia. The Apocalypse and the Decachordon were to follow, but the venturesome enterprise was cut short.

the Expositio, and the Decachordon—the development and spiritualization of all that had preceded it. Even as Joachim had dwelt on the ascending scale of the three Eras, so the author of the Introduction characterized the progressive methods of the three Scriptures. The Old Testament is the first heaven, the New Testament the second heaven, the Everlasting Gospel the third heaven. The first is like the light of the stars, the second like that of the moon, and the third like that of the sun; the first is the porch, the second the holy place, and the third the Holy of Holies; the first is the rind, the second the nut, the third the kernel; the first is earth, the second water, the third fire; the first is literal, the second spiritual, and the third is the law promised in Jeremiah xxxi. The preaching and dissemination of this supreme and eternal law of God is committed to the barefooted Order (the Franciscans). At the threshold of the Old Law were three men, Abraham, Isaac, and Jacob: at that of the New Law were three others, Zachariah, John the Baptist, and Christ: and at that of the coming age are three, the man in linen (Joachim), the Angel with the sharp sickle, and the Angel with the sign of the living God (Francis). In the blessed coming reign of the Holy Ghost men will live under the law of love, as in the first Era they lived in fear, and in the second in grace. Joachim had argued against the continuance of the sacraments; Gherardo regarded them as symbols and enigmas, from which man would be liberated in the time to come, for love would replace all the observances founded upon the second Dispensation. This was destructive of the whole sacerdotal system, which was to be swept away and relegated to the limbo of the forgotten past; and scarce less revolutionary was his bold declaration that the Abomination of Desolation would be a pope tainted with simony, who, towards the end of the sixth age, now at hand, would obtain the papacy.*

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* Protocol. Commiss. Anagniæ (H. Denifle Archiv für Litt.- etc., 1885, pp. 99–102, 109, 126, 135–6).

It appears to me that Father Denifle's laborious research has sufficiently proved that the errors commonly ascribed to the Everlasting Gospel (D'Argentré I. i. 162–5; Eymeric. Direct. Inq. P. II. Q. 9; Hermann. Korneri Chron. ap. Eccard. Corp. Hist. Med. Ævi. II. 849–51) are the strongly partisan accusations sent to Rome by William of St. Amour (ubi sup. pp. 76–86) which have led to

The authorship of this bold challenge to an infallible Church was long attributed to John of Parma himself, but there would seem little doubt that it was the work of Gherardo—the outcome of his studies and reveries during the four years spent in the University of Paris, although John of Parma possibly had a hand in it. Certainly, as Tocco well points out, he at least sympathized with it, for he never punished the author, in spite of the scandal which it brought upon the Order, and Bernard Gui tells us that at the time it was commonly ascribed to him. I have already related with what joy William of Saint Amour seized upon it in the quarrel between the University and the Mendicants, and the advantage it momentarily gave the former. Under existing circumstances it could have no friends or defenders. It was too reckless an onslaught on all existing institutions, temporal and spiritual. The only thing to be done with it was to suppress it as quietly as possible. Consideration for the Franciscan Order demanded this, as well as the prudence which counselled that attention should not be unduly called to it, although hundreds of victims had been burned for heresies far less dangerous. The commission which sat at Anagni in July, 1255, for its condemnation had a task over which there could be no debate, but I have already pointed out the contrast between the reserve with which it was suppressed and the vindictive clamor with which Saint Amour's book against the Mendicants was ordered to be burned.*

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exaggerated misconceptions of its rebellious tendencies. Father Denifle, however, proceeds to state that the result of the commission of Anagni (July, 1255) was merely the condemnation of the views of Gherardo, and that the works of Joachim (except his tract against Peter Lombard) have never been condemned by the Church. Yet even when the exaggerations of William of St. Amour are thrown aside, there is in reality little in principle to distinguish Joachim from Gherardo; and if the former was not condemned it was not the fault of the Commission of Anagni, which classed both together and energetically endeavored to prove Joachim a heretic, even to showing that he never abandoned his heresy on the Trinity (ubi sup. pp. 137–41).

Yet if there was little difference in the letter, there was a marked divergence in spirit between Joachim and his commentator—the former being constructive and the latter destructive as regards the existing Church. See Tocco, Archivio Storico Italiano, 1886.

* Matt. Paris ann. 1256 (Ed. 1644, p. 632).—Salimbene, p. 103.—Bern. Guidon.

The Spiritual section of the Franciscans was fatally compromised, and the worldly party, which had impatiently borne the strict rule of John of Parma, saw its opportunity of gaining the ascendency. Led by Bernardo da Bessa, the companion of Bonaventura, formal articles of accusation were presented to Alexander IV. against the general. He was accused of listening to no explanations of the Rule and Testament, holding that the privileges and declarations of the popes were of no moment in comparison. It was not hinted that he was implicated in the Everlasting Gospel, but it was alleged that he pretended to enjoy the spirit of prophecy and that he predicted a division of the Order between those who procured papal relaxations and those who adhered to the Rule, the latter of whom would flourish under the dew of heaven and the benediction of God. Moreover, he was not orthodox, but defended the errors of Joachim concerning the Trinity, and his immediate comrades had not hesitated, in sermons and tracts, to praise Joachim immoderately and to assail the leading men of the Order. In this, as in the rest of the proceedings, the studied silence preserved as to the Everlasting Gospel shows how dangerous was the subject, and how even the fierce passions of the strife shrank from compromising the Order by admitting that any of its members were responsible for that incendiary production.*

Vit. Alex. PP. IV. (Muratori S. R. I. III. I. 593). Cf. Amalr. Auger. Vit. Alex. PP. IV. (Ib. III. II. 404).

For the authorship of the Everlasting Gospel, see Tocco, L'Heresia nel Medio Evo, pp. 473–4, and his review of Denifle and Haupt, Archivio Storico Italiano, 1886; Renan, pp. 248, 277; and Denifle, *ubi sup.* pp. 57–8.

One of the accusations brought against William of Saint Amour was that he complained of the delay in condemning the Everlasting Gospel, to which he replied with an allusion to the influence of those who defended the errors of Joachim.—Dupin, Bib. des Auteurs Eccles. T. X. ch. vii.

Thomas of Cantimpré assures us that Saint Amour would have won the day against the Mendicant Orders but for the learning and eloquence of Albertus Magnus.—Bonum Universale, Lib. II. c. ix.

* Wadding. ann. 1256, No. 2.—Affò (Lib. II. c. iv.) argues that John of Parma's resignation was wholly spontaneous, that there were no accusations against him, and that both the pope and the Franciscans were with difficulty persuaded to let him retire. He quotes Salimbene (Chronica p. 137) as to the reluctance of the chapter to accept his resignation, but does not allude to the assertion of the same authority that John was obnoxious to Alexander and to many of the ministers of the Order by reason of his too zealous belief in Joachim (Ib. p. 131).

Alexander was easily persuaded, and a general chapter was held in the Aracœli, February 2, 1257, over which he personally presided. John of Parma was warned to resign, and did so, pleading age, weariness, and disability. After a decent show of resistance his resignation was accepted and he was asked to nominate a successor. His choice fell upon Bonaventura, then only thirty-four years of age, whose participation in the struggle with the University of Paris had marked him as the most promising man in the Order, while he was not identified with either faction. He was duly elected, and the leaders of the movement required him to proceed against John and his adherents. Bonaventura for a while hesitated, but at length consented. Gherardo refused to recant, and Bonaventura sent for him to come to Paris. In passing through Modena he met Salimbene, who had cowered before the storm and had renounced Joachitism as a folly. The two friends had a long colloquy, in which Gherardo offered to prove that Antichrist was already at hand in the person of Alonso the Wise of Castile. He was learned, pure-minded, temperate, modest, amiable—in a word, a most admirable and lovable character; but nothing could wean him from his Joachitic convictions, though in his trial discreet silence, as usual, was observed about the Everlasting Gospel, and he was condemned as an upholder of Joachim's Trinitarian speculations. Had he not been a Franciscan he would have been burned. It was a doubtful mercy which consigned him to a dungeon in chains and fed him on bread and water for eighteen years, until his weary life came to an end. He never wavered to the last, and his remains were thrust into a corner of the garden of the convent where he died. The same fate awaited his comrade Leonardo, and also another friar named Piero de' Nubili, who refused to surrender a tract of John of Parma's.*

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* Wadding, ann. 1256, No. 3-5.—Salimbene, pp. 102, 383-6.—Hist. Tribulat. (Archiv für L. u. K. 1886, p. 285).—Although Salimbene prudently abandoned Joachitism, he never outgrew his belief in Joachim's prophetic powers. Many years later he gives as a reason for suspecting the Segarellists, that if they were of God, Joachim would have predicted them as he did the Mendicants (Ib. 123-4).

The silence of the Historia Tribulationum with respect to the Everlasting Gospel is noteworthy. By common consent that dangerous work seems to be ignored by all parties.

Then John himself was tried by a special court, to preside over which Alexander appointed Cardinal Caietano, afterwards Nicholas III. The accused readily retracted his advocacy of Joachim, but his bearing irritated the judges, and, with Bonaventura's consent, he would have shared the fate of his associates but for the strenuous intercession of Ottoboni, Cardinal of S. Adrian, afterwards Adrian V. Bonaventura gave him the option of selecting a place of retreat, and he chose a little convent near Rieti. There he is said to have lived for thirty-two years the life of an angel, without abandoning his Joachitic beliefs. John XXI., who greatly loved him, thought of making him a cardinal in 1277, but was prevented by death. Nicholas III., who had presided at his trial, a few years later offered him the cardinalate, so as to be able to enjoy his advice, but he quietly answered, "I could give wholesome counsel if there were any one to listen to me, but in the Roman court there is little discussed but wars and triumphs, and not the salvation of souls." In 1289, however, notwithstanding his extreme age, he accepted from Nicholas IV. a mission to the Greek Church, but he died at Camerino soon after setting out. Buried there, he speedily shone in miracles; he became the object of a lasting cult, and in 1777 he was formally beatified, in spite of the opposition arising from his alleged authorship of the Introduction to the Everlasting Gospel.*

The faith of the Joachites was by no means broken by these reverses. William of Saint Amour thought it necessary to return to the charge with another bitter tract directed against them. He shares their belief in the impending change, but declares that in place of being the reign of love under the Holy Ghost, it will be the reign of Antichrist, whom he identifies with the Friars. Persecution, he says, had put an end to the open defence of the pestiferous doctrine of the Everlasting Gospel, but it still had many believers in secret. The south of France was the headquarters of the sect. Florent, Bishop of Acre, had been the official prosecutor before the Commission of Anagni in 1255. He was rewarded with the archbishopric of Arles in 1262, and in 1265 he held a provin-

* Wadding. ann. 1256, No. 6; ann. 1289, No. 26.—Hist. Tribulat. (loc. cit. p. 285).—Salimbene Chron. pp. 131–33, 317.—Tocco, pp. 476–77.—P. Rodulphii Hist. Seraph. Relig. Lib. I. fol. 117.—Affò, Lib. III. c. x.

cial synod with the object of condemning the Joachites, who were still numerous in his province. An elaborate refutation of the errors of the Everlasting Gospel was deemed necessary; it was deplored that many learned men still suffered themselves to be misled by it, and that books containing it were written and eagerly passed from hand to hand. The anathema was decreed against this, but no measures of active persecution seem to have been adopted, nor do we hear of any steps taken by the Inquisition to suppress the heresy. As we shall see hereafter, the leaven long remained in Languedoc and Provence, and gave a decided impress to the Spiritual Franciscanism of those regions. It mattered little that the hoped-for year 1260 came and passed away without the fulfilment of the prophecy. Earnest believers can always find excuses for such errors in computation, and the period of the advent of the Holy Ghost could be put off from time to time, so as always to stimulate hope with the prospect of emancipation in the near future.*

Although the removal of John of Parma from the generalate had been the victory of the Conventuals, the choice of Bonaventura might well seem to give to the Spirituals assurance of continued supremacy. In his controversy with William of Saint Amour he had taken the most advanced ground in denying that Christ and the apostles held property of any kind, and in identifying poverty with perfection. "Deep poverty is laudable; this is true of itself: therefore deeper poverty is more laudable, and the deepest, the most laudable. But this is the poverty of him who neither in private nor in common keeps anything for himself. . . . To renounce all things, in private or in common, is Christian perfection, not only sufficient but abundant: it is the principal counsel of evangelical perfection, its fundamental principle and sublime foundation." Not only this, but he was deeply imbued with mysticism and was the first to give authoritative expression to the Illuminism which subsequently gave the Church so much trouble.

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* Lib. de Antichristo P. I. c. x., xiii., xiv. (Martene Ampl. Coll. IX. 1273, 1313, 1325-35).—Thomæ Aquinat. Opusc. contra Impugn. Relig. c. xxiv. 5, 6.—Concil. Arelatens. ann. 1260 (1265) c. 1 (Harduin. VII. 509-12).—Fisquet, La France Pontificale, Métropole d'Aix, p. 577.—Renan, p. 254.

His *Mystica Theologia* is in sharp contrast to the arid scholastic theology of the day as represented by Thomas Aquinas. The soul is brought face to face with God; its sins are to be repented of in the silent watches of the night, and it is to seek God through its own efforts. It is not to look to others for aid or leadership, but, depending on itself, strive for the vision of the Divine. Through this Path of Purgation it ascends to the Path of Illumination, and is prepared for the reception of the Divine Radiance. Finally it reaches the Third Path, which leads to union with the Godhead and participation in Divine Wisdom. Molinos and Madame Guyon indulged in no more dangerous speculations; and the mystic tendencies of the Spirituals received a powerful stimulus from such teachings.*

It was inevitable that the strife within the Order between property and poverty should grow increasingly bitter. Questions were constantly arising which showed the incompatibility of the vows as laid down by St. Francis with the functions of an organization which had grown to be one of the leading factors of a wealthy and worldly Church. In 1255 we find the sisters of the monastery of St. Elizabeth complaining to Alexander IV. that when property was given or bequeathed to them the ecclesiastical authorities enforced on them the observance of the Rule, by compelling them to part with it within a year by sale or gift, and the pope graciously promised that no such custom should be enforced in future. About the same time John of Parma complained that when his friars were promoted to the episcopate they carried away with them books and other things of which they had properly only the use, being unable to own anything under peril of their souls. Again Alexander graciously replied that friars, on promotion, must deliver to the provincial everything which they had in their hands. Such troubles must have been of almost daily occurrence, and it was inevitable that the increasing friction should result in schism. When the blessed Gilio, the third disciple who joined St. Francis, was taken to Assisi to view the splendid buildings erected in honor of the humble Francis, and was carried through three magnificent churches, connected with a vast refec-

* S. Bonavent. de Paup. Christi Art. I. No. i., ii.—Ejusd. Mystic. Theol. cap. I. Partic. 2; cap. II. Partic. 1, 2; Cap. III. Partic. 1.

tory, a spacious dormitory, and other offices and cloisters, adorned with lofty arches and spacious portals, he kept silent until one of his guides pressed him for an expression of admiration. "Brethren," he then said, "there is nothing lacking except your wives." This seemed somewhat irrelevant, till he explained that the vows of poverty and chastity were equally binding, and now that one was set aside the other might as well follow. Salimbene relates that in the convent of Pisa he met Frà Boncampagno di Prato, who, in place of the two new tunics per year distributed to each of the brethren, would only accept one old one, and who declared that he could scarce satisfy God for taking that one. Such exaggerated conscientious sensitiveness could not but be peculiarly exasperating to the more worldly members.*

The Conventuals had lost no time in securing the results of their victory over John of Parma. Scarce had his resignation been secured, and before Bonaventura could arrive from Paris they obtained from Alexander, February 20, 1257, a repetition of the declaration of Innocent IV. which enabled the Order to handle money and hold property through the transparent device of agents and the Holy See. The disgust of the Puritan party was great, and even the implicit reverence prescribed for the papacy could not prevent ominous mutterings of disobedience, raising questions as to the extent of the papal power to bind and to loose, which in time were to ripen into open rebellion. The Rule had been proclaimed a revelation equal in authority to the gospel, and it might well be asked whether even the successor of St. Peter could set it aside. It was probably about this time that Berthold of Ratisbon, the most celebrated Franciscan preacher of his day, in discoursing to his brethren on the monastic state, boldly declared that the vows of poverty, obedience, and chastity were so binding that even the pope could not dispense for them. This, in fact, was admitted on all sides as a truism. About 1290 the Dominican Provincial of Germany, Hermann of Minden, in an encyclical, alludes to it as a matter of course, but in little more than a quarter of a century we shall see that such utterances were treated as heresy, and were sternly suppressed with the stake.†

* Wadding. Regest. Alex. PP. IV. No. 39-41; Annal. ann. 1262, No. 36.—Salimbene, p. 122.

† Wadding. ann. 1256, No. 4; Regest. Alex. PP. IV. No. 66.—Bertholdi a

Bonaventura, as we have seen, honestly sought to restrain the growing laxity of the Order. Before leaving Paris he addressed, April 23, 1257, an encyclical letter to the provincials, calling their attention to the prevalent vices of the brethren and the contempt to which they exposed the whole Order. Again, some ten years later, at the instance of Clement IV., he issued another similar epistle, in which he strongly expressed his horror at the neglect of the Rule shown in the shameless greed of so many members, the importunate striving for gain, the ceaseless litigation caused by their grasping after legacies and burials, and the splendor and luxury of their buildings. The provincials were instructed to put an end to these disorders by penance, imprisonment, or expulsion; but however earnest in his zeal Bonaventura may have been, and however self-denying in his own life, he lacked the fiery energy which enabled John of Parma to give effect to his convictions. How utter was the prevailing degeneracy is seen in the complaint presented in 1265 to Clement IV., that in many places the ecclesiastical authorities held that the friars, being dead to the world, were incapable of inheritance. Relief was prayed from this, and Clement issued a bull declaring them competent to inherit and free to hold their inheritances, or to sell them, and to use the property or its price as might to them seem best.*

The question of poverty evidently was one incapable of per-

Ratispona Sermones, Monachii, 1882, p. 68. — H. Denifle, Archiv für Litt.- u. Kirchengeschichte, 1886, p. 649.

To the true Franciscan the Rule and the gospel were one and the same. According to Thomas of Celano, "Il perfetto amatore dell' osservanza del santo vangelio e della professione della nostra regola, che non è altro che perfetta osservanza del vangelio, questo [Francesco] ardentissimamente amava, e quelli che sono e saranno veri amatori, donò a essi singular benedizione. Veramente, dicea, questa nostra professione a quelli che la seguitano, esser libro di vita, speranza di salute, arra di gloria, melodia del vangelio, via di croce, stato di perfezione, chiave di paradiso, e patto di eterna pace."—Amoni, Legenda S. Francisci, App. c. xxix.

* S. Bonavent. Opp. I. 485-6 (Ed. 1584).—Wadding. ann. 1257, No. 9; Regest. Clem. PP. IV. No. I.

Pierre Jean Olivi states that he himself heard Bonaventura declare in a chapter held in Paris that he would, at any moment, submit to be ground to powder if it would bring the Order back to the condition designed by St. Francis.—Franz Ehrle, Archiv für L. u. K. 1887, p. 517.

manent and satisfactory settlement. Dissension in the Order could not be healed. In vain Gregory X., about 1275, was appealed to, and decided that the injunction of the Rule against the possession of property, individually or in common, was to be strictly observed. The worldly party continued to point out the incompatibility of this with the necessities of human nature; they declared it to be a tempting of God and a suicide of the individual; the quarrel continually grew more bitterly envenomed, and in 1279 Nicholas III. undertook to settle it with a formal declaration which should forever close the mouths of all cavillers. For two months he secretly labored at it in consultation with the two Franciscan cardinals, Palestrina and Albano, the general, Bonagrazia, and some of the provincials. Then it was submitted to a commission in which was Benedetto Caietano, afterwards Boniface VIII. Finally it was read and adopted in full consistory, and it was included, twenty years later, in the additions to the canon law compiled and published by order of Boniface. No utterance of the Holy See could have more careful consideration and more solemn authority than the bull known as *Exiit qui seminat*, which was thus ushered into the world, and which subsequently became the subject of such deadly controversy.*

It declares the Franciscan Rule to be the inspiration of the Holy Ghost through St. Francis. The renunciation of property, not only individual but in common, is meritorious and holy. Such absolute renunciation of possession had been practised by Christ and the apostles, and had been taught by them to their disciples; it is not only meritorious and perfect, but lawful and possible, for there is a distinction between use, which is permitted, and ownership, which is forbidden. Following the example of Innocent IV. and Alexander IV., the proprietorship of all that the Franciscans use is declared to be vested, now and hereafter, in the Roman Church and pontiff, which concede to the friars the usufruct thereof. The prohibition to receive and handle money is to be enforced, and borrowing is especially deprecated; but, when necessity obliges, this may be effected through third parties, although the brethren must abstain from handling the money or administering or expending it. As for legacies, they must not be left

* Liv. v. Sexto xii. 3.—Wadding. ann. 1279, No. 11.

directly to the friars, but only for their use; and minute regulations are drawn up for exchanging or selling books and utensils. The bull concludes with instructions that it is to be read and taught in the schools, but no one, under pain of excommunication and loss of office and benefice, shall do anything but expound it literally—it is not to be glossed or commented upon, or discussed, or explained away. All doubts and questions shall be submitted directly to the Holy See, and any one disputing or commenting on the Franciscan Rule or the definitions of the bull shall undergo excommunication, removable only by the pope.

Had the question been capable of permanent settlement in this sense, this solemn utterance would have put an end to further trouble. Unluckily, human nature did not cease to be human nature, with its passions and necessities, on crossing the threshold of a Franciscan convent. Unluckily, papal constitutions were as cobwebs when they sought to control the ineradicable vices and weakness of man. Unluckily, moreover, there were consciences too sensitive to be satisfied with fine-drawn distinctions and subtleties ingeniously devised to evade the truth. Yet the bull *Exiit qui seminat* for a while relieved the papacy from further discussion, although it could not quiet the intestine dissensions of the Order. There was still a body of recalcitrants, not numerous, it is true, but eminent for the piety and virtue of its members, which could not be reconciled by these subterfuges. These recalcitrants gradually formed themselves into two distinct bodies, one in Italy, and the other in southern France. At first there is little to distinguish them apart, and for a long while they acted in unison, but there gradually arose a divergence between them, which in the end became decisively marked, owing to the greater influence exercised in Languedoc and Provence by the traditions of Joachim and the Everlasting Gospel.

We have seen how the thirst for ascetic poverty, coupled in many cases, doubtless, with the desire to escape from the sordid cares of daily life, led thousands to embrace a career of wandering mendicancy. Sarabites and *circumcelliones*—vagrant monks, subjected to no rule—had been the curse of the Church ever since the invention of cenobitism; and the exaltation of poverty in the thirteenth century had given a new impulse to the crowds who

preferred the idleness of the road or of the hermitage to the restraints and labor of civilized existence. It was in vain that the Lateran Council had prohibited the formation of new and unauthorized Orders. The splendid success of the Mendicants had proved too alluring, and others were formed on the same basis, without the requisite preliminary of the papal approval. The multitudes of holy beggars were becoming a serious nuisance, oppressive to the people and disgraceful to the Church. When Gregory X. summoned the General Council of Lyons, in 1274, this was one of the evils to be remedied. The Lateran canon prohibiting the formation of unauthorized Orders was renewed. Gregory proposed to suppress all the congregations of hermits, but, at the instance of Cardinal Richard, the Carmelites and Augustinians were allowed to exist on sufferance until further order, while the audacity of other associations, not as yet approved, was condemned, especially that of the mendicants, whose multitude was declared to exceed all bounds. Such mendicant Orders as had been confirmed since the Council of Lateran were permitted to continue, but they were instructed to admit no new members, to acquire no new houses, and not to sell what they possessed without special license from the Holy See. Evidently it was felt that the time had come for decisive measures to check the tide of saintly mendicancy.*

Some vague and incorrect rumors of this legislation penetrating to Italy, led to an explosion which started one of the most extraordinary series of persecutions which the history of human perversity affords. On the one hand there is the marvellous constancy which endured lifelong martyrdom for an idea almost unintelligible to the modern mind; on the other there is the seemingly causeless ferocity, which appears to persecute for the mere pleasure of persecution, only to be explained by the bitterness of the feuds existing within the Order, and the savage determination to enforce submission at every cost.

It was reported that the Council of Lyons had decreed that the Mendicants could hold property. Most of the brethren acquiesced readily enough, but those who regarded the Rule as divine revelation, not to be tampered with by any earthly authority, de-

* Concil. Lugdunens. II. c. 23 (Harduin. VII. 715).—Salimbene, pp. 110–11.

clared that it would be apostasy, and a thing not to be admitted under any circumstances. Several disputations were held which only confirmed each side in its views. One point which gave rise to peculiar animosity was the refusal of the Spirituals to take their turns in the daily rounds in quest of moneyed alms, which had grown to be the custom in most places; and it is easy to imagine the bitter antagonism to which this disobedience must have led. It shows how strained were the relations between the factions that proceedings for heresy were forthwith commenced against these zealots. The rumor proved false, the excitement died away, and the prosecutions were allowed to slumber for a few years, when they were revived through fear that these extreme opinions, if left unpunished, might win over the majority. Liberato da Macerata, Angelo da Cingoli (il Clareno), Traymondo, Tommaso da Tollentino, and one or two others whose names have not reached us were the obdurate ones who would make no concession, even in theory. Angelo, to whom we owe an account of the matter, declared that they were ready to render implicit obedience, that no offence was proved against them, but that nevertheless they were condemned, as schismatics and heretics, to perpetual imprisonment in chains. The sentence was inhumanly harsh. They were to be deprived of the sacraments, even upon the death-bed, thus killing soul as well as body; during life no one was to speak with them, not even the jailer who brought the daily pittance of bread and water to their cells, and examined their fetters to see that they were attempting no escape. As a warning, moreover, the sentence was ordered to be read weekly in all the chapters, and no one was to presume to criticise it as unjust. This was no idle threat, for when Friar Tommaso da Casteldemilio heard it read and said it was displeasing to God, he was cast into a similar prison, where he rotted to death in a few months. The fierce spirits in control of the Order were evidently determined that at least the vow of obedience should be maintained.*

* Angel. Clarinens. Epist. Excusat. (Archiv für Litt.- u. Kirchengeschichte, 1885, pp. 523–4).—Histor. Tribulation. (Ibid. 1886, pp. 302–4).—Ubertini Responsio (Ibid. 1887, p. 68). — Cf. Rodulphii Hist. Seraph. Relig. Lib. II. fol. 180.

For the first time the development and history of the Spiritual Franciscans can now be traced with some accuracy, thanks to Franz Ehrle, S. J., who has

The prisoners seem to have laid in jail until after the election to the generalate of Raymond Gaufridi, at Easter, 1289. Visiting the Mark of Ancona, where they were incarcerated, he investigated the case, blamed severely the perpetrators of the injustice, and set the martyrs free in 1290. The Order had been growing more lax in its observance than ever, in spite of the bull *Exiit qui seminat*. Matteo d'Acquasparta, who was general from 1287 to 1289, was easy and kindly, well-intentioned but given to self-indulgence, and by no means inclined to the effort requisite to enforce the Rule. Respect for it, indeed, was daily diminishing. Coffers were placed in the churches to receive offerings; bargains were made as to the price of masses and for the absolution of sinners; boys were stationed at the church-doors to sell wax tapers in honor of saints; the Friars habitually begged money in the streets, accompanied by boys to receive and carry it; the sepulture of the rich was eagerly sought for, leading to disgraceful quarrels with the heirs and with the secular clergy. Everywhere there was self-seeking and desire for the enjoyment of an idle and luxurious life. It is true that lapses of the flesh were still rigidly punished, but these cases were sufficiently frequent to show that ample cause for scandal arose from the forbidden familiarity with women which the brethren permitted themselves. So utter was the general demoralization that Nicholas, the Provincial of France, even dared to write a tract calling in question the bull *Exiit qui seminat* and its exposition of the Rule. As this was in direct contravention of the bull itself, Acquasparta felt compelled to condemn the work and to punish its author and his supporters, but the evil continued to work. In the Mark of Ancona and in some other places the reaction against asceticism was so strong that the Testament of the revered Francis was officially ordered to be burned. It was the main bulwark of the Spirituals against relaxation of the Rule, and in one instance it was actually burned on the head of a friar, N. de Recanate, who presumably had made himself obnoxious by insisting on its authority.*

printed the most important documents relating to this schism in the Order, elucidated with all the resources of exact research. My numerous references to his papers show the extent of my indebtedness to his labors.

* Histor. Tribulat. (loc. cit. 1886, p. 305).—Ubertini Responsio (Ibid. 1887, pp. 69, 77).—Articuli Transgressionum (Ibid. 1887, pp. 105–7).—Wadding. ann.

Raymond Gaufridi was earnestly desirous of restoring discipline, but the relaxation of the Order had grown past curing. His release of the Spirituals at Ancona caused much murmuring; he was ridiculed as a patron of fantastic and superstitious men, and conspiracies were set on foot which never ceased till his removal was effected in 1295. It was perhaps to conjure these attempts that he sent Liberato, Angelo, Tommaso, and two kindred spirits named Marco and Piero to Armenia, where they induced King Haito II. to enter the Franciscan Order, and won from him the warmest eulogies. Even in the East, however, the hatred of their fellow-missionaries was so earnest and so demonstrative that they were forced to return in 1293. On their arrival in Italy the provincial, Monaldo, refused to receive them or to allow them to remain until they could communicate with Raymond, declaring that he would rather entertain fornicators.*

The unreasoning wrath which insisted on these votaries of poverty violating their convictions received a check when, in 1294, the choice of the exhausted conclave fell by chance on the hermit Pier Morrone, who suddenly found his mountain burrow transformed into the papal palace. Celestin V. preserved in St. Peter's chair the predilection for solitude and maceration which had led him to the life of the anchorite. To him Raymond referred the Spirituals, whom he seemed unable to protect. Celestin listened to them kindly and invited them to enter his special Order—the Celestinian Benedictines—but they explained to him the difference of their vows, and how their brethren detested the observance of the Rule. Then in public audience he ordered them to observe strictly the Rule and Testament of Francis; he released them from obedience to all except himself and to Liberato, whom he made their chief; Cardinal Napoleone Orsini was declared their protector, and the abbot of the Celestinians was ordered to provide

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1289, No. 22-3.—Ubertini Declaratio (Archiv, 1887, pp. 168-9).—Dante contrasts Acquasparta with Ubertino da Casale, of whom we shall see more presently—

> "Ma non sia da Casal ne d'Acquasparta
> La onde vegnon tali alla Scrittura
> Ch' uno la fugge e l'altro la coarta."—(Paradiso XII.).

* Hist. Tribulat. (loc. cit. 1886, pp. 306-8).—Angel. Clarinens. Epist. (Ibid. 1885, pp. 524-5).—Wadding. ann. 1292, No. 14.

them with hermitages. Thus they were fairly out of the Order; they were not even to call themselves Minorites or Franciscans, and it might be supposed that their brethren would be as glad to get rid of them and their assumption of superior sanctity as they were to escape from oppression.*

Yet the hatred provoked by the quarrel was too deep and bitter to spare its victims, and the breathing-space which they enjoyed was short. Celestin's pontificate came to an abrupt termination. Utterly unfitted for his position, speedily made the tool of designing men, and growing weary of the load which he felt himself unable to endure, after less than six months he was persuaded to abdicate, in December, 1294, and was promptly thrown into prison by his successor, Boniface VIII., for fear that he might be led to reconsider an abdication the legality of which might be questioned. All of Celestin's acts and grants were forthwith annulled, and so complete was the obliteration of everything that he had done, that even the appointment of a notary is found to require confirmation and a fresh commission. Boniface's contempt for the unworldly enthusiasm of asceticism did not lead him to make any exception in favor of the Spirituals. To him the Franciscan Order was merely an instrument for the furtherance of his ambitious schemes, and its worldliness was rather to be stimulated than repressed. Though he placed in his Sixth Book of Decretals the bull *Exiit qui seminat*, his practical exposition of its provisions is seen in two bulls issued July 17, 1296, by one of which he assigns to the Franciscans of Paris one thousand marks, to be taken from the legacies for pious uses, and by the other he converts to them a legacy of three hundred livres bequeathed by Ada, lady of Pernes, for the benefit of the Holy Land. Under such auspices the degradation of the Order could not but be rapid. Before his first year was out, Boniface had determined upon the removal of the general, Raymond. October 29, 1295, he offered the latter the bishopric of Pavia, and on his protesting that he had not strength for the burden, Boniface said that he could not be fit for the heavier load of the generalate, of which he relieved him on the spot. We can understand the insolence which led a party of the

* Angel. Clarin. Epist. (op. cit. 1885, p. 526); Hist. Tribulationum (Ib. 1886, pp. 308-9).

Conventual faction to visit Celestin in his prison and taunt and insult him for the favor which he had shown to the Spirituals. A prosecution for heresy which Boniface ordered, in March, 1295, against Frà Pagano di Pietra-Santa was doubtless instigated by the same spirit.*

More than this. To Boniface's worldly, practical mind the hordes of wandering mendicants, subjected to no authority, were an intolerable nuisance, whether it arose from ill-regulated asceticism or idle vagabondage. The decree of the Council of Lyons had failed to suppress the evil, and, in 1496 and 1497, Boniface issued instructions to all bishops to compel such wanderers or hermits, popularly known as Bizochi, either to lay aside their fictitious religious habits and give up their mode of life, or to betake themselves to some authorized Order. The inquisitors were instructed to denounce to the bishops all suspected persons, and if the prelates were remiss, to report them to the Holy See. One remarkable clause gives special authority to the inquisitors to prosecute such of these Bizochi as may be members of their own Orders, thus showing that there was no heresy involved, as otherwise the inquisitors would have required no additional powers.†

The following year Boniface proceeded to more active measures. He ordered the Franciscan, Matteo da Chieti, Inquisitor of Assisi, to visit personally the mountains of the Abruzzi and Mark of Ancona and to drive from their lurking-places the apostates from various religious Orders and the Bizochi who infested those regions. His previous steps had probably been ineffective, and possibly also he may have been moved to more decisive action by the rebellious attitude of the Spirituals and proscribed mendicants. Not only did they question the papal authority, but they were beginning to argue that the papacy itself was vacant. So far from being content with the bull *Exivit qui seminat*, they held that its author, Nicholas III., had been deprived by God of the papal functions, and consequently that he had had no legitimate successors. Thereafter there had been no true ordinations of priest and prelate, and the real Church consisted in themselves alone. To rem-

* Hist. Tribulat. (loc. cit. 1886, pp. 309–10).—Faucon et Thomas, Registres de Boniface VIII. No. 37, 1232, 1233, 1292, 1825.—Wadding. ann. 1295, No. 14.

† Franz Ehrle, Archiv für L. u. K. 1886, pp. 157–8.

edy this, Frère Matthieu de Bodici came from Provence, bringing with him the books of Pierre Jean Olivi, and in the Church of St. Peter in Rome he was elected pope by five Spirituals and thirteen women. Boniface promptly put the Inquisition on their track, but they fled to Sicily, which, as we shall see, subsequently became the headquarters of the sect.*

Friar Jordan, to whom we are indebted for these details, assumes that Liberato and his associates were concerned in this movement. The dates and order of events are hopelessly confused, but it would rather seem that the section of the Spirituals represented by Liberato kept themselves aloof from all such revolutionary projects. Their sufferings were real and prolonged, but had they been guilty of participating in the election of an antipope they would have had but the choice between perpetual imprisonment and the stake. They were accused of holding that Boniface was not a lawful pope, that the authority of the Church was vested in themselves alone, and that the Greek Church was preferable to the Latin—in other words of Joachitism—but Angelo declares emphatically that all this was untrue, and his constancy of endurance during fifty years of persecution and suffering entitles his assertion to respect. He relates that after their authorization by Celestin V. they lived as hermits in accordance with the papal concession, sojourning as paupers and strangers wherever they could find a place of retreat, and strictly abstaining from preaching and hearing confessions, except when ordered to do so by bishops to whom they owed obedience. Even before the resignation of Celestin, the Franciscan authorities, irritated at the escape of their victims, disregarded the papal authority and endeavored with an armed force to capture them. Celestin himself seems to have given them warning of this, and the zealots, recognizing that there was no peace for them in Italy, resolved to expatriate themselves and seek some remote spot where they could gratify their ascetic longings and worship God without human

* Raynald. ann. 1297, No. 55.—Jordani Chron. cap. 236, Partic. 3 (Muratori, Antiq. XI. 766).

So far was Pierre Jean Olivi from participating in these rebellious movements that he wrote a tract to prove the legality of Celestin's abdication and Boniface's succession (Franz Ehrle, Archiv f. L. u. K. 1887, p. 535).

interference. They crossed the Adriatic and settled on a desert island off the Achaian coast. Here, lost to view, they for two years enjoyed the only period of peace in their agitated lives; but at length news of their place of retreat reached home, and forthwith letters were despatched to the nobles and bishops of the mainland accusing them of being Cathari, while Boniface was informed that they did not regard him as pope, but held themselves to be the only true Church. In 1299 he commissioned Peter, Patriarch of Constantinople, to try them, when they were condemned without a hearing, and he ordered Charles II. of Naples, who was overlord of the Morea, to have them expelled, an order which Charles transmitted to Isabelle de Villehardouin, Princess of Achaia. Meanwhile the local authorities had recognized the falsity of the accusations, for the refugees celebrated mass daily and prayed for Boniface as pope, and were willing to eat meat, but this did not relieve them from surveillance and annoyance, one of their principal persecutors being a certain Geronimo, who came to them with some books of Olivi's, and whom they were forced to eject for immorality, after which he turned accuser and was rewarded with the episcopate.*

The pressure became too strong, and the little community gradually broke up. An intention to accompany Frà Giovanni da Monte on a mission to Tartary had to be abandoned on account of the excommunication consequent upon the sentence uttered by the Patriarch of Constantinople. Liberato sent two brethren to appeal to Boniface, and then two more, but they were all seized and prevented from reaching him. Then Liberato himself departed secretly and reached Perugia, but the sudden death of Boniface (October 11, 1303) frustrated his object. The rest returned at various times, Angelo being the last to reach Italy, in 1305. He found his brethren in evil plight. They had been cited by the Dominican inquisitor, Tommaso di Aversa, and had obediently presented themselves. At first the result was favorable. After an examination lasting several days, Tommaso pronounced them

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* Angel. Clarin. Epist. (Archiv für Litt.- u. Kirchengeschichte, 1885, pp. 522-3, 527-9).—Hist. Tribulat. (Ibid. 1886, pp. 314-18).—Franz Ehrle (Ibid. 1886, p. 335.

Franz Ehrle identifies the refuge of the Spirituals with the island of Trixonia in the Gulf of Corinth (Ibid. 1886, pp. 313-14).

orthodox, and dismissed them, saying publicly, "Frà Liberato, I swear by Him who created me that never the flesh of a poor man could be sold for such a price as I could get for yours. Your brethren would drink your blood if they could." He even conducted them in safety back to their hermitages, and when the rage of the Conventuals was found to be unappeasable he gave them the advice that they should leave the kingdom of Naples that night and travel by hidden ways to the pope; if they could bring letters from the latter, or from a cardinal, he would defend them as long as he held the office. The advice was taken; Liberato left Naples that night, but fell sick on the road and died after a lingering illness of two years. Meanwhile, as we shall see hereafter, the exploits of Dolcino in Lombardy were exciting general terror, which rendered all irregular fraternities the object of suspicion and dread. The Conventuals took advantage of this and incited Frà Tommaso to summon before him all who wore unauthorized religious habits. The Spirituals were cited again, to the number of forty-two, and this time they did not escape so easily. They were condemned as heretics, and when Andrea da Segna, under whose protection they had lived, interposed in their favor, Tommaso carried them to Trivento, where they were tortured for five days. This excited the compassion of the bishop and nobles of the town, so they were transferred to Castro Mainardo, a solitary spot, where for five months they were afflicted with the sharpest torments. Two of the younger brethren yielded and accused themselves and their comrades, but revoked when released. Some of them died, and finally the survivors were ordered to be scourged naked through the streets of Naples and were banished the kingdom, although no specific heresy was alleged against them in the sentence. Through all this the resolution of the little band never faltered. Convinced that they alone were on the path of salvation, they would not be forced back into the Order. On the death of Liberato, Angelo was chosen as their leader, and amid persecution and obloquy they formed a congregation in the Mark of Ancona, known as the Clareni, from the surname of their chief, and under the protection of the cardinal, Napoleone Orsini.*

* Angel. Clarin. Epist. (op. cit. 1885, 529-31).—Hist. Tribulat. (Ib. 1886, 320-6).—Wadding. ann. 1302, No. 8; 1307, No. 2-4.

This group had not been by any means alone in opposing the laxity of the Conventuals, although it was the only one which succeeded in throwing off the yoke of its opponents. The Spirituals were numerous in the Order, but the policy of Boniface VIII. led him to support the efforts of the Conventnals to keep them in subjection. Jacopone da Todi, the author of the Stabat Mater, was perhaps the most prominent of these, and his savage verses directed against the pope did not tend to harmonize the troubles. After the capture of Palestrina, in 1298, Boniface threw him into a foul dungeon, where he solaced his captivity with canticles full of the mystic ardor of divine love. It is related that Boniface once, passing the grating of his cell, jeeringly called to him, "Jacopo, when will you get out?" and was promptly answered, "When you come in." In a sense the prophecy proved true, for one of the first acts of Benedict XI., in December, 1303, was to release Jacopone from both prison and excommunication.*

Frà Corrado da Offida was another prominent member of the Spiritual group. He had been a friend of John of Parma; for fifty-five years he wore but a single gown, patched and repatched as necessity required, and this with his rope girdle constituted his sole worldly possessions. In the mystic exaltation which characterized the sect he had frequent visions and ecstasies, in which he was lifted from the ground after the fashion of the saints. When Liberato and his companions were in their Achaian refuge he designed joining them with Jacopo de' Monti and others, but the execution of the project was in some way prevented.†

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* Cantù, Eretici d' Italia, I. 129.—Comba, La Riforma in Italia, I. 314.

A specimen of Jacopone's attacks on Boniface will show the temper of the times—

"Ponesti la tua lingua
Contra religione
A dir blasfemia
Senza niun cagione.

O pessima avarizia
Sete induplicata,
Bever tanta pecunia
E non esser saziata!"

(Comba, op. cit. 312.)

There is doubtless foundation for the story related by Savonarola in a sermon, that Jacopone was once brought into the consistory of cardinals and requested to preach, when he solemnly repeated thrice, "I wonder that in consequence of your sins the earth does not open and swallow you."—Villari, Frà Savonarola, II. Ed. T. II. p. 3.

† Hist. Tribulat. (loc. cit. pp. 311–13).

Such men, filled with the profoundest conviction of their holy calling, were not to be controlled by either kindness or severity. It was in vain that the general, Giovanni di Murro, at the chapter of 1302, held in Genoa, issued a precept deploring the abandonment, by the Order, of holy poverty, as shown by the possession of lands and farms and vineyards, and the assumption by friars of duties which involved them in worldly cares and strife and litigation. He ordered the sale of all property, and forbade the members of the Order from appearing in any court. Yet while he was thus rigid as to the ownership of property, he was lax as to its use, and condemned as pernicious the doctrine that the vow of poverty involved restriction in its enjoyment. He was, moreover, resolved on extinguishing the schism in the Order, and his influence with Boniface was one of the impelling causes of the continued persecution of the Spirituals. They stubbornly rejected all attempts at reconciliation, and placed a true estimate on these efforts of reform. Before the year was out Giovanni was created Cardinal Bishop of Porto, and was allowed to govern the Order through a vicar; the reforms were partially enforced in some provinces for a short time; then they fell into desuetude, and matters went on as before.*

In France, where the influence of Joachim and the Everlasting Gospel was much more lasting and pronounced than in Italy, the career of the Spirituals revolves around one of the most remarkable personages of the period—Pierre Jean Olivi. Born in 1247, he was placed in the Franciscan Order at the age of twelve, and was trained in the University of Paris, where he obtained the baccalaureate. His grave demeanor, seasoned with a lively wit, his irreproachable morals, his fervid eloquence, and the extent of his learning won for him universal respect, while his piety, gentleness, humility, and zeal for holy poverty gained for him a reputation for sanctity which assigned to him the gift of prophecy. That such a man should attach himself to the Spirituals was a matter of course, and equally so was the enmity which he excited by unsparing reproof of the laxity of observance into which the Order had declined. In his voluminous writings he taught that absolute

* Wadding. ann. 1302, No. 1–3, 7; ann. 1310, No. 9.—Franz Ehrle (Archiv für Litt.- u. K. 1886, p. 385).

poverty is the source of all the virtues and of a saintly life; that the Rule prohibited all proprietorship, whether individual or in common, and that the vow bound the members to the most sparing use of all necessaries, the meanest garments, the absence of shoes, etc., while the pope had no power to dispense or absolve, and much less to order anything contrary to the Rule. The convent of Béziers, to which he belonged, became the centre of the Spiritual sect, and the devotion which he excited was shared by the population at large, as well as by his brethren. The temper of the man was shown when he underwent his first rebuke. In 1278 some writings of his in praise of the Virgin were considered to trench too closely on Mariolatry. The Order had not yet committed itself to this, and complaint was made to the general, Geronimo d'Ascoli, afterwards Nicholas IV., who read the tracts and condemned him to burn them with his own hands. Olivi at once obeyed without any sign of perturbation, and when his wondering brethren asked how he could endure such mortification so tranquilly, he replied that he had performed the sacrifice with a thoroughly placid mind; he had not felt more pleasure in writing the tracts than in burning them at the command of his superior, and the loss was nothing, for if necessary he could easily write them again in better shape. A man so self-centred and imperturbable could not fail to impress his convictions on those who surrounded him.*

What his convictions really were is a problem not easily solved at the present day. The fierce antagonisms which he excited by his fiery onslaughts on individuals as well as on the general laxity of the Order at large, caused his later years to be passed in a series of investigations for heresy. At the general chapter of Strassburg, in 1282, his writings were ordered to be examined. In 1283 Bonagrazia di S. Giovanni, the general, came to France, collected and placed them all in the hands of seven of the leading members of the Order, who found in them propositions which they variously

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* Wadding. ann. 1278, No. 27–8.—Franz Ehrle, Archiv f. L. u. K. 1887, pp. 505–11, 528–9.

When Geronimo d'Ascoli attained the papacy he was urged to prosecute Olivi, but refused, expressing the highest consideration for his talents and piety, and declaring that his rebuke had been merely intended as a warning (Hist. Trib. loc. cit. 1886, p. 289).

characterized as false, heretical, presumptuous, and dangerous, and ordered the tracts containing them to be surrendered by all possessing them. Olivi subscribed to the judgment in 1284, although he complained that he had not been permitted to appear in person before his judges and explain the censured passages, to which distorted meanings had been applied. With some difficulty he procured copies of his inculpated writings and proceeded to justify himself. Still the circle of his disciples continued to increase; incapable of the self-restraint of their master, and secretly imbued with Joachitic doctrines, they were not content with the quiet propagation of their principles, but excited tumults and seditions. Olivi was held responsible. The chapter held at Milan in 1285 elected as general minister Arlotto di Prato, one of the seven who had condemned him, and issued a decree ordering a strict perquisition and seizure of his writings. The new general, moreover, summoned him to Paris for another inquisition into his faith, of which the promoters were two of the members of the previous commission, Richard Middleton and Giovanni di Murro, the future general. The matter was prolonged until 1286, when Arlotto died, and nothing was done. Matteo d'Acquasparta vouched for his orthodoxy in appointing him teacher in the general school of the Order at Florence. Raymond Gaufridi, who succeeded Matteo d'Acquasparta in 1290, was a friend and admirer of Olivi, but could not prevent fresh proceedings, though he appointed him teacher at Montpellier. Excitement in Languedoc had reached a point which led Nicholas IV., in 1290, to order Raymond to suppress the disturbers of the peace. He commissioned Bertrand de Cigotier, Inquisitor of the Comtat Venaissin, to investigate and report, in order that the matter might be brought before the next general chapter, to be held in Paris. In 1292, accordingly, Olivi appeared before the chapter, professed his acceptance of the bull *Exiit qui seminat*, asserted that he had never intentionally taught or written otherwise, and revoked and abjured anything that he might inadvertently have said in contradiction of it. He was dismissed in peace, but twenty-nine of his zealous and headstrong followers, whom Bertrand de Cigotier had found guilty, were duly punished. His few remaining years seem to have passed in comparative peace. Two letters written in 1295, one to Corrado da Offida and the other to the sons of Charles II. of Naples, then

held as hostages in Catalonia, who had asked him to visit them, show that he was held in high esteem, that he desired to curb the fanatic zeal of the more advanced Spirituals, and that he could not restrain himself from apocalyptic speculation. On his deathbed, in 1298, he uttered a confession of faith in which he professed absolute submission to the Roman Church and to Boniface as its head. He also submitted all his works to the Holy See, and made a declaration of principles as to the matters in dispute within the Order, which contained nothing that Bonaventura would not have signed, or Nicholas III. would have impugned as contrary to the bull *Exiit*, although it sharply rebuked the money-getting practices and relaxation of the Order.*

He was honorably buried at Narbonne, and then the controversy over his memory became more lively than ever, rendering it almost impossible to determine his responsibility for the opinions which were ascribed to him by both friends and foes. That his bones became the object of assiduous cult, in spite of repeated prohibitions, that innumerable miracles were worked at his tomb, that crowds of pilgrims flocked to it, that his feast-day became one of the great solemnities of the year, and that he was regarded as one of the most efficient saints in the calendar, only shows the popular estimate of his virtues and the zeal of those who regarded

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*Wadding. ann. 1282, No. 2; ann. 1283, No. 1; ann. 1285, No. 5; ann. 1290, No. 11; ann. 1292, No. 13; ann. 1297, No. 33–4.—Chron. Glassbergerann. 1283.—Hist. Tribulat. (loc. cit. pp. 294–5).—Franz Ehrle, Archiv, 1886, pp. 383, 389; 1887, pp. 417–27, 429, 433, 438, 534.—Raym. de Fronciacho (Archiv, 1887, p. 15).

Olivi's death is commonly assigned to 1297, but the *Transitus Sancti Patris*, which was one of the books most in vogue among his disciples, states that it occurred on Friday, March 14, 1297 (Bernard. Guidon. Practica P. v.); Friday fell on March 14 in 1298, and the common habit of commencing the year with Easter explains the substitution of 1297 for 1298.

His bones are generally said to have been dug up and burned a few months after interment, by order of the general, Giovanni di Murro (Tocco, op. cit. p. 503). Wadding, indeed, asserts that they were twice exhumed (ann. 1297, No. 36). Eymerich mentions a tradition that they were carried to Avignon and thrown by night into the Rhone (Eymerici Direct. Inquis. p. 313). The cult of which they were the object shows that this could not have been the case, and Bernard Gui, the best possible authority, in commenting on the *Transitus* states that they were abstracted in 1318 and hidden no one knows where—doubtless by disciples to prevent the impending profanation of exhumation.

themselves as his disciples. Certain it is that the Council of Vienne, in 1312, treated his memory with great gentleness. While it condemned with merciless severity the mystic extravagances of the Brethren of the Free Spirit, it found only four errors to note in the voluminous writings of Olivi—errors of merely speculative interest, such as are frequent among the schoolmen of the period—and these it pointed out without attributing them to him or even mentioning his name. These his immediate followers denied his holding, although eventually one of them, curiously enough, became a sort of shibboleth among the Olivists. It was that Christ was still alive on the cross when pierced by the lance, and was based on the assertion that the relation in Matthew originally differed in this respect from that in John, and had been altered to secure harmony. All other questions relating to the teachings of Olivi the council referred to the Franciscans for settlement, showing that they were deemed of minor importance, after they had been exhaustively debated before it by Bonagrazia da Bergamo in attack and Ubertino da Casale in defence. Thus the council condemned neither his person nor his writings; that the result was held as vindicating his orthodoxy was seen when, in 1313, his feast-day was celebrated with unexampled enthusiasm at Narbonne, and was attended by a concourse equal to that which assembled at the anniversary of the Portiuncula. Moreover, after the heat of the controversy had passed away, the subsequent condemnation of his writings by John XXII. was removed by Sixtus IV., towards the end of the fifteenth century. Olivi's teachings may therefore fairly be concluded to have contained no very revolutionary doctrines. In fact, shortly after his death all the Franciscans of Provence were required to sign an abjuration of his errors, among which was enumerated the one respecting the wound of Christ, but nothing was said respecting the graver aberrations subsequently attributed to him.*

* Wadding. ann. 1291, No. 13; 1297, No. 35; 1312, No. 4.—Lib. Sententt. Inq. Tolos. pp. 306, 319.—Coll. Doat. XXVII. fol. 7 sqq.—Lib. i. Clement. i. 1.—Tocco, op. cit. pp. 509–10.—MSS. Bib. Nat. No. 4270, fol. 168.—Franz Ehrle (ubi sup. 1885, p. 544; 1886, pp. 389–98, 402–5; 1887, pp. 449, 491).—Raymond de Fronciacho (Archiv, 1887, p. 17).

The traditional wrath of the Conventuals was still strong enough in the year 1500 to lead the general chapter held at Terni to forbid, under pain of imprison-

On the other hand he was unquestionably the heresiarch of the Spirituals, both of France and Italy, regarded by them as the direct successor of Joachim and Francis. The *Historia Tribulationum* finds in the pseudo-Joachitic prophecies a clear account of all the events in his career. Enthusiastic Spirituals, who held the revolutionary doctrines of the Everlasting Gospel, testified before the Inquisition that the third age of the Church had its beginning in Olivi, who thus supplanted St. Francis himself. He was inspired of heaven; his doctrine had been revealed to him in Paris, some said, while he was washing his hands; others that the illumination came to him from Christ while in church, at the third hour of the day. Thus his utterances were of equal authority with those of St. Paul, and were to be obeyed by the Church without the change of a letter. It is no wonder that he was held accountable for the extravagances of those who regarded him with such veneration and recognized him as their leader and teacher.*

When Olivi died, his former prosecutor, Giovanni di Murro, was general of the Order, and, strong as were his own ascetic convictions, he lost no time in completing the work which he had previously failed to accomplish. Olivi's memory was condemned as that of a heretic, and an order was issued for the surrender of all his writings, which was enforced with unsparing rigor, and continued by his successor, Gonsalvo de Balboa. Pons Botugati, a friar eminent for piety and eloquence, refused to surrender for burning some of the prohibited tracts, and was chained closely to the wall in a damp and fetid dungeon, where bread and water were sparingly flung to him, and where he soon rotted to death in filth, so that when his body was hastily thrust into an unconsecrated grave it was found that already the flesh was burrowed through by worms. A number of other recalcitrants were also imprisoned with almost equal harshness, and in the next general chapter the reading of all of Olivi's works was formally prohibited. That much incendiary matter was in circulation, attributed directly or indirectly to him, is shown by a catalogue of Olivist tracts, treating of such dangerous questions as the power of the pope to

ment, any member of the Order from possessing any of Olivi's writings.—Franz Ehrle (ubi sup. 1887, pp. 457–8).

* Hist. Tribulat. (loc. cit. pp. 288–9).—Coll. Doat, XXVII. fol. 7 sqq.—Lib. Sententt. Inq. Tolos. pp. 306, 308.—Bernard. Guidon. Practica P. v.

dispense from vows, his right to claim implicit obedience in matters concerning faith and morals, and other similar mutterings of rebellion.*

The work of Olivi which called forth the greatest discussion, and as to which the evidences are peculiarly irreconcilable, was his Postil on the Apocalypse. It was from this that the chief arguments were drawn for his condemnation. In an inquisitorial sentence of 1318 we learn that his writings were then again under examination by order of John XXII.; that they were held to be the source of all the errors which the sectaries were then expiating at the stake, and that principal among them was his work on the Apocalypse, so that, until the papal decision, no one was to hold him as a saint or a Catholic. When the condemnatory report of eight masters of theology came, in 1319, the Spirituals held that the outrage thus committed on the faith deprived of all virtue the sacrament of the altar. No formal judgment was rendered, however, until February 8, 1326, when John XXII. finally condemned the Postil on the Apocalypse after a careful scrutiny in the Consistory, and the general chapter of the Order forbade any one to read or possess it. One of the reports of the experts upon it has reached us. It is impossible to suppose that they deliberately manufactured the extracts on which their conclusions are based, and these extracts are quite sufficient to show that the work was an echo of the most dangerous doctrines of the Everlasting Gospel. The fifth age is drawing to an end, and, under the figure of the mystical Antichrist, there are prophecies about the pseudo-pope, pseudo-Christs, and pseudo-prophets in terms which clearly allude to the existing hierarchy. The pseudo-pope will be known by his heresies concerning the perfection of evangelical poverty (as we shall see was the case with John XXII.), and the pseudo-Joachim's prophecies concerning Frederic II. are quoted to show how prelates and clergy who defend the Rule will be ejected. The carnal church is the Great Whore of Babylon; it makes drunken and

* Hist. Tribulat. (loc. cit. pp. 300-1).—Tocco, pp. 489-91, 503-4.

Wadding (ann. 1297, No. 33-5) identifies Pons Botugati with St. Pons Carbonelli, the illustrious teacher of St. Louis of Toulouse. Franz Ehrle (Archiv für L. u. K. 1886, p. 300) says he can find no evidence of this, and the author of the *Hist. Tribulat.*, in his detailed account of the affair, would hardly have omitted a fact so serviceable to his cause.

corrupts the nations with its carnalities, and oppresses the few remaining righteous, as under Paganism it did with its idolatries. In forty generations from the harvest of the apostles there will be a new harvest of the Jews and of the whole world, to be garnered by the Evangelical Order, to which all power and authority will be transferred. There are to be a sixth and a seventh age, after which comes the Day of Judgment. The date of this latter cannot be computed, but at the end of the thirteenth century the sixth age is to open. The carnal church, or Babylon, will expire, and the triumph of the spiritual church will commence.*

It has been customary for historians to assume that this resurrection of the Everlasting Gospel was Olivi's work, though it is evident from the closing years of his career that he could not have been guilty of uttering such inflammatory doctrines, and this is confirmed by the silence of the Council of Vienne concerning them, although it condemned his other trifling errors after a thorough debate on the subject by his enemies and friends. In fact, Bonagrazia, in the name of the Conventuals, bitterly attacked his memory and adduced a long list of his errors, including cursorily certain false and fantastic prophecies in the Postil on the Apocalypse and his stigmatizing the Church as the Great Whore. Had such passages as the above existed they would have been set forth at length and defence would have been impossible. Ubertino in reply, however, boldly characterized the assertion as most mendacious and impious; Olivi, he declared, had always spoken most reverently of the Church and Holy See; the Postil itself closed with a submission to the Roman Church as the universal mistress, and in the body of the work the Holy See was repeatedly alluded to as the seat of God and of Christ; the Church Militant and the Church Triumphant are spoken of as the seats of God which will last to the end, while the reprobate are Babylon and the Great Whore. It is impossible that Ubertino can have quoted these passages falsely, for Bonagrazia would have readily overwhelmed him with confusion, and the Council of Vienne would have rendered a far different judgment. We know from undoubted sources that

* Baluz. et Mansi II. 249–50.—Bern. Guidon. Pract. P. v.—Doat, XXVII. fol. 7 sqq.—Bern. Guidon. Vit. Johann. PP. XXII. (Muratori S. R. I. III. II. 491).—Wadding. ann. 1325, No. 4.—Alvar. Pelag. de Planctu Eccles. Lib. II. art. 59.—Baluz. et Mansi II. 266–70.

the revolutionary doctrines commonly attributed to Olivi were entertained by those who considered themselves and were considered to be his disciples, and we can only assume that in their misguided zeal they interpolated his Postil, and gave to their own mystic dreams the authority of his great name.*

After the death of Olivi the Franciscan officials seem to have felt themselves unable to suppress the sect which was spreading and organizing throughout Languedoc. For some reason not apparent, unless it may have been jealousy of the Dominicans, the aid of the Inquisition was not called in, and the inquisitors withheld their hands from offenders of the rival Order. The regular church authorities, however, were appealed to, and in 1299 Gilles, Archbishop of Narbonne, held at Béziers a provincial synod, in which were condemned the Beguines of both sexes who under the lead of learned men of an honorable Order (the Franciscans) engaged in religious exercises not prescribed by the Church, wore vestments distinguishing them from other folk, performed novel penances and abstinences, administered vows of chastity, often not observed, held nocturnal conventicles, frequented heretics, and proclaimed that the end of the world was at hand, and that already the reign of Antichrist had begun. From them many scandals had already arisen, and there was danger of more and greater troubles. The bishops were therefore ordered, in their several dioceses, to investigate these sectaries closely and to suppress them. We see from this that there was rapidly growing up a new heresy based upon the Everlasting Gospel, with the stricter Franciscans as a nucleus, but extending among the people. For this popular propaganda the Tertiary Order afforded peculiar facilities, and we shall find hereafter that the Beguines, as they were generally called, were to a great extent Tertiaries, when not full members of the Order. There was nothing, however, to tempt the cupidity

* Franz Ehrle (Archiv f. L. u. K. 1886, pp. 368-70, 407-9).—Wadding. ann. 1297, No. 36-47.—Baluz. et Mansi II. 276.

Tocco (Archivio Storico Italiano, T. XVII. No. 2.—Cf. Franz Ehrle, Archiv für L. u. K. 1887, p. 493) has recently found in the Laurentian Library a MS. of Olivi's Postil on the Apocalypse. It contains all the passages cited in the condemnation, showing that the commission which sat in judgment did not invent them, but as it is of the fifteenth century it does not invalidate the suggestion that his followers interpolated his work after his death.

of the episcopal officials to the prosecution of those whose principal belief consisted in the renunciation of all worldly goods, and it is not likely that they showed themselves more diligent in their duties than we have seen them when greater interests were at stake. The action of the council may therefore be safely assumed as wasted, except as justifying persecution within the Order. The lay Beguines doubtless enjoyed practical immunity, while the Spiritual Friars continued to endure the miseries at the hands of their superiors for which monastic life afforded such abundant opportunities. Thus, at Villefranche, when Raymond Auriole and Jean Prime refused to admit that their vows permitted a liberal use of the things of the world, they were imprisoned in chains and starved till Raymond died, deprived of the sacraments as a heretic, and Jean barely escaped with his life.*

Thus passed away the unfortunate thirteenth century—that age of lofty aspirations unfulfilled, of brilliant dreams unsubstantial as visions, of hopes ever looking to fruition and ever disappointed. The human intellect had awakened, but as yet the human conscience slumbered, save in a few rare souls who mostly paid in disgrace or death the penalty of their precocious sensitiveness. That wonderful century passed away and left as its legacy to its successor vast progress, indeed, in intellectual activity, but on the spiritual side of the inheritance a dreary void. All efforts to elevate the ideals of man had miserably failed. Society was harder and coarser, more carnal and more worldly than ever, and it is not too much to say that the Inquisition had done its full share to bring this about by punishing aspirations, and by teaching that the only safety lay in mechanical conformity, regardless of abuses and unmindful of corruption. The results of that hundred years of effort and suffering are well symbolized in the two popes with whom it began and ended—Innocent III. and that pinchbeck Innocent, Boniface VIII., who, in the popular phrase of the time, came in like a fox, ruled like a lion, and died like a dog. In intellect and learning Boniface was superior to his model, in imperious pride his equal, in earnestness, in self-devo-

* Concil. Biterrens. ann. 1299 c. 4 (Martene Thesaur. IV. 226).—Ubertini Declaratio (Archiv f. Litt.- u. K. 1887, pp. 183–4).

tion, in loftiness of aim, in all that dignifies ambition, immeasurably his inferior. It is no wonder that the apocalyptic speculations of Joachim should acquire fresh hold on the minds of those who could not reconcile the spiritual desert in which they lived with their conception of the merciful providence of God. To such men it seemed impossible that he could permit a continuance of the cruel wickedness which pervaded the Church, and through it infected society at large. This was plainly beyond the power of a few earnest zealots to cure, or even to mitigate, so the divine interposition was requisite to create a new earth, inhabited only by the few virtuous Elect, under a reign of ascetic poverty and all-embracing love.

One of the most energetic and impetuous missionaries of these beliefs was Arnaldo de Vilanova, in some respects, perhaps, the most remarkable man of his time, whom we have only of late learned to know thoroughly, from the researches of Señor Pelayo. As a physician he stood unrivalled. Kings and popes disputed his services, and his voluminous writings on medicine and hygiene were reprinted in collective editions six times during the sixteenth century, besides numerous issues of special treatises. As a chemist he is more doubtfully said to have left his mark in several useful discoveries. As an alchemist he had the repute of producing ingots of gold in the court of Robert of Naples, a great patron of the science, and his treatises on the subject were included in collections of such works printed as lately as the eighteenth century. A student of both Arabic and Hebrew, he translated from Costa ben Luca treatises on incantations, ligatures, and other magic devices. He wrote on astronomy and on oneiromancy, for he was an expert expounder of dreams, and also on surveying and wine-making. He draughted laws for Frederic of Trinacria which that enlightened monarch promulgated and enforced, and his advice to Frederic and his brother Jayme II. of Aragon on their duties as monarchs stamps him as a conscientious statesman. When Jayme applied to him for the explanation of a mysterious dream he not only satisfied the king with his exposition, but proceeded to warn him that his chief duty lay in administering justice, first to the poor, and then to the rich. When asked how often he gave audience to the poor, Jayme answered, once a week, and also when he rode out for pleasure. Arnaldo

sternly reproved him; he was earning damnation; the rich had access to him every day, morning, noon, and night, the poor but seldom; he made of God the hog of St. Anthony, which received only the refuse rejected by all. If he wished to earn salvation he must devote himself to the welfare of the poor, without which, in spite of the teachings of the Church, neither psalms, nor masses, nor fasting, nor even alms would suffice. To Jayme he was not only physician but counsellor, venerable and much beloved, and he was repeatedly employed on diplomatic missions by the kings of both Aragon and Sicily.*

Multifarious as were these occupations, they consumed but a portion of his restless activity. In dedicating to Robert of Naples his treatise on surveying, he describes himself—

> "Yeu, Arnaut de Vilanova . . .
> Doctor en leys et en decrets,
> Et en siensa de stre'lomia,
> Et en l'art de medicina,
> Et en la santa teulogia"—

and, although a layman, married, and a father, his favorite field of labor was theology, which he had studied with the Dominicans of Montpellier. In 1292 he commenced with a work on the Tetragrammaton, or ineffable name of Jehovah, in which he sought to explain by natural reasons the mystery of the Trinity. Embarked in such speculations he soon became a confirmed Joachite. To a man of his lofty spiritual tendencies and tender compassion for his fellows, the wickedness and cruelty of mankind were appalling, and especially the crimes of the clergy, among whom he reckoned the Mendicants as the worst. Their vices he lashed unsparingly, and he naturally fell in with the speculations of the pseudo-Joachitic writings, anticipating the speedy advent of Antichrist and the Day of Judgment. In numberless works composed in both Latin and the vernacular he commented upon and popularized the Joachitic books, even going so far as to declare that the revelation of Cyril was more precious than all Scripture. Such a man naturally sympathized with the persecuted Spirituals. He boldly undertook their defence in sundry tracts, and when, in 1309, Frederic of Tri-

* Pelayo, Heterodoxos Españoles, I. 450-61, 475, 590-1, 726-7, 772.—M. Flac. Illyr. Cat. Test. Veritatis, pp. 1732 sqq. (Ed. 1603).

nacria applied to him to expound his dream, he seized the opportunity to invoke the monarch's commiseration for their sufferings, by explaining to him how, when they sought to appeal to the Holy See, their brethren persecuted and slew them, and how evangelical poverty was treated as the gravest of crimes. He used his influence similarly at the court of Naples, thus providing for them, as we shall see, a place of refuge in their necessity.*

With his impulsive temperament it was impossible for him to hold aloof from the bitter strife then raging. Before the thirteenth century was out he addressed letters to the Dominicans and Franciscans of Paris and Montpellier, to the Kings of France and Aragon, and even to the Sacred College, announcing the approaching end of the world; the wicked Catholics, and especially the clergy, were the members of the coming Antichrist. This aroused an active controversy, in which neither party spared the other. After a war of tracts the Catalan Dominicans formally accused him before the Bishop of Girona, and he responded that they had no standing in court, as they were heretics and madmen, dogs and jugglers, and he cited them to appear before the pope by the following Lent. It could only have been the royal favor which preserved him from the fate at the stake of many a less audacious controversialist; and when, in 1300, King Jayme sent him on a mission to Philippe le Bel, he boldly laid his work on the advent of Antichrist before the University of Paris. The theologians looked askance on it, and, in spite of his ambassadorial immunity, on the eve of his return he was arrested without warning by the episcopal official. The Archbishop of Narbonne interposed in vain, and he was bailed out on security of three thousand livres, furnished by the Viscount of Narbonne and other friends. Brought before the masters of theology, he was forced by threats of imprisonment to recant upon the spot, without being allowed to defend himself, and one can well believe his statement that one of his most eager judges was a Franciscan, whose zeal was doubtless inflamed by the portentous appearance of another Olivi from the prolific South.†

A formal appeal to Boniface was followed by a personal visit

* Pelayo, I. 454, 458, 464–6, 468–9, 730–1, 779.—Franz Ehrle, Archiv für Litt.- und Kirchengeschichte, 1886, 327–8.

† Pelayo, I. 460, 464–8, 739–45.

to the papal court. Received at first with jeers, his obstinacy provoked repression. As a relapsed, he might have been burned, but he was only imprisoned and forced to a second recantation, in spite of which Philippe le Bel, at the assembly of the Louvre in 1303, in his charges of heresy against Boniface asserted that the pope had approved a book of Arnaldo's which had already been burned by himself and by the University of Paris. Boniface, in fact, in releasing him, imposed on him silence on theologic matters, though appreciating his medical skill and appointing him papal physician. For a while he kept his peace, but a call from heaven forced him to renewed activity, and he solemnly warned Boniface of the divine vengeance if he remained insensible to the duty of averting the wrath to come by a thorough reformation of the Church. The catastrophe of Anagni soon followed, and Arnaldo, who had left the papal court, naturally regarded it as a confirmation of his prophecy, and looked upon himself as an envoy of God. With a fierce denunciation of clerical corruptions he repeated the warning to Benedict XI., who responded by imposing a penance on him and seizing all his apocalyptic tracts. In about a month Benedict, too, was dead, and Arnaldo announced that a third message would be sent to his successor, "though when and by whom has not been revealed to me, but I know that if he heeds it divine power will adorn him with its sublimest gifts; if he rejects it, God will visit him with a judgment so terrible that it will be a wonder to all the earth." *

For some years we know nothing of his movements, although his fertile pen was busily employed with little intermission, and the Church vainly endeavored to suppress his writings. In 1305 Fray Guillermo, Inquisitor of Valencia, excommunicated and ejected from Church Gambaldo de Pilis, a servant of King Jayme, for possessing and circulating them. The king applied to Guillermo for his reasons, and, on being refused, angrily wrote to Eymerich, the Dominican general. He declared that Arnaldo's writings were

* Pelayo, I. 470-4, 729, 734.—D'Argentré I. II. 417.—Du Puy, Histoire du Differend, Pr. 103.

One of the charges against Bernard Délicieux, in 1319, was that of sending to Arnaldo certain magic writings to encompass the death of Benedict. A witness was found to swear that this was the cause of Benedict's death.—MSS. Bib. Nat., fonds latin, No. 4270, fol. 12, 50, 51, 61

eagerly read by himself, his queen and his children, by archbishops and bishops, by the clergy and the laity. He demanded that the sentence be revoked as uncanonical, else he would punish Fray Guillermo severely and visit with his displeasure all the Dominicans of his dominions. It was probably this royal favor which saved Arnaldo when he came near being burned at Santa Christina, and escaped with no worse infliction than being stigmatized as a necromancer and enchanter, a heretic and a pope of the heretics.*

When the persecution of the Spirituals of Provence was at its height, Arnaldo procured from Charles the Lame of Naples, who was also Count of Provence, a letter to the general, Gerald, which for a time put a stop to it. In 1309 we find him at Avignon, on a mission from Jayme II., well received by Clement V., who prized highly his skill as a physician. He used effectively this position by secretly persuading the pope to send for the leaders of the Spirituals, in order to learn from them orally and in writing of what they complained and what reformation they desired in their Order. With regard to his own affairs he was not so fortunate. At a public hearing before the pope and cardinals, in October, 1309, he predicted the end of the world within the century, and the advent of Antichrist within its first forty years; he dwelt at much length on the depravity of clergy and laity, and complained bitterly of the persecution of those who desired to live in evangelical poverty. All this was to be expected of him, but he added the incredible indiscretion of reading a detailed account of the dreams of Jayme II. and Frederic of Trinacria, their doubts and his explanations and exhortations—matters, all of them, as sacredly confidential as the confession of a penitent. Cardinal Napoleone Orsini, the protector of the Spirituals, wrote to Jayme congratulating him on his piety as revealed by that wise and illuminated man, inflamed with the love of God, Master Arnaldo, but this effort to conjure the tempest was unavailing. The Cardinal of Porto and Ramon Ortiz, Dominican Provincial of Aragon, promptly reported to Jayme that he and his brother had been represented as wavering in the faith and as believers in dreams, and advised him no longer to employ as his envoy such a heretic as Arnaldo. Jayme's pride was deeply wounded. It was in vain that Clement

* Pelayo, I. 481, 772.

assured him that he had paid no attention to Arnaldo's discourse; the king wrote to the pope and cardinals and to his brother denying the story of his dream and treating Arnaldo as an impostor. Frederic was less susceptible: he wrote to Jayme that the story could do them no harm, and that the real infamy would lie in abandoning Arnaldo in his hour of peril. Arnaldo took refuge with him, and not long afterwards was sent by him again to Avignon on a mission, but perished during the voyage. The exact date of his death is unknown, but it was prior to February, 1311. For selfish reasons Clement mourned his loss, and issued a bull announcing that Arnaldo had been his physician and had promised him a most useful book which he had written; he had died without doing so, and now Clement summoned any one possessing the precious volume to deliver it to him.*

The interposition of Arnaldo offered to the Spirituals an unexpected prospect of deliverance. From Languedoc to Venice and Florence they were enduring the bitterest persecution from their superiors; they were cast into dungeons where they starved to death, and were exposed to the infinite trials for which monastic life afforded such abundant opportunities, when Arnaldo persuaded Clement to make an energetic effort to heal the schism in the Order and to silence the accusations which the Conventuals brought against their brethren. An occasion was found in an appeal from the citizens of Narbonne setting forth that the books of Olivi had been unjustly condemned, that the Rule of the Order was disregarded, and those who observed it were persecuted, and further praying that a special cult of Olivi's remains might be permitted. A commission of important personages was formed to investigate the faith of Angelo da Clarino and his disciples, who still dwelt in the neighborhood of Rome, and who were pronounced good Catholics. Such leading Spirituals as Raymond Gaufridi, the former general, Ubertino da Casale, the intellectual leader of the sect, Raymond de Giniac, former Provincial of Aragon, Gui de Mirepoix, Bartolommeo Sicardi, and others were summoned to Avignon,

* Hist. Tribulationum (Archiv für Litt.- u. K. 1886, I. 129).—Pelayo, I. 481-3, 773, 776.—Wadding. ann. 1312, No. 7.—Cf. Trithem. Chron. Hirsaug. ann. 1310; P. Langii Chron. Citicens. ann. 1320.

where they were ordered to draw up in writing the points which they deemed requisite for the reformation of the Order. To enable them to perform this duty in safety they were taken under papal protection by a bull which shows in its minute specifications how real were the perils incurred by those who sought to restore the Order to its primitive purity. Apparently stimulated by these warnings, the general, Gonsalvo, at the Chapter of Padua in 1310, caused the adoption of many regulations to diminish the luxury and remove the abuses which pervaded the Order, but the evil was too deep-seated. He was resolved, moreover, on reducing the Spirituals to obedience, and the hatred between the two parties grew bitterer than ever.*

The articles of complaint, thirty-five in number, which the Spirituals laid before Clement V. in obedience to his commands formed a terrible indictment of the laxity and corruption which had crept into the Order. It was answered but feebly by the Conventuals, partly by denying its allegations, partly by dialectical subtleties to prove that the Rule did not mean what it said, and partly by accusing the Spirituals of heresy. Clement appointed a commission of cardinals and theologians to hear both sides. For two years the contest raged with the utmost fury. During its continuance Raymond Gaufridi, Gui de Mirepoix, and Bartolommeo Sicardi died—poisoned by their adversaries, according to one account, worn out with ill-treatment and insult according to another. Clement had temporarily released the delegates of the Spirituals from the jurisdiction of their enemies, who had the audacity, March 1, 1311, to enter a formal protest against his action, alleging that they were excommunicated heretics under trial, who could not be thus protected. In this prolonged discussion the opposing leaders were Ubertino da Casale and Bonagrazia (Bon-

* Franz Ehrle (Archiv für Litt.- u. K. 1886, pp. 380–1, 384, 386; 1887, p. 36).—Raym. de Fronciacho (Ib. 1887, p. 18).—Eymerich p. 316.—Angeli Clarini Litt. Excus. (Archiv, 1885, pp. 531–2).—Wadding. ann. 1210, No. 6.—Regest. Clement. PP. V. T. V. pp. 379 sqq. Romæ, 1887).

At the same time that the general, Gonsalvo, was seeking to repress the acquisitiveness of the friars they were procuring from the Emperor Henry VII. a decree annulling a local statute of Nuremberg which forbade any citizen from giving them more than a single gold piece at a time, or a measure of corn.—Chron. Glassberger ann. 1310.

cortese) da Bergamo. The former, while absorbed in devotion on Mont' Alverno, the scene of St. Francis's transfiguration, had been anointed by Christ and raised to a lofty degree of spiritual insight. His reputation is illustrated by the story that while laboring with much success in Tuscany he had been summoned to Rome by Benedict XI. to answer some accusations brought against him. Soon afterwards the people of Perugia sent a solemn embassy to the pope with two requests—one that Ubertino be restored to them, the other that the pope and cardinals would reside in their city—whereat Benedict smiled and said, "I see you love us but a little, since you prefer Frà Ubertino to us." He was a Joachite, moreover, who did not hesitate to characterize the abdication of Celestin as a horrible innovation, and the accession of Boniface as a usurpation. Bonagrazia was perhaps superior to his opponent in learning and not his inferior in steadfast devotion to what he deemed the truth, though Ubertino characterized him as a lay novice, skilled in the cunning tricks of the law. We shall see hereafter his readiness to endure persecution in defence of his own ideal of poverty; and the antagonism of two such men upon the points at issue between them is the most striking illustration of the impracticable nature of the questions which raised so heated a strife and cost so much blood.*

The Spirituals failed in their efforts to obtain a decree of separation which should enable them, in peace, to live according to their interpretation of the Rule, but in other respects the decision of the commission was wholly in their favor, in spite of the persistent effort of the Conventuals to divert attention from the real questions at issue to the assumed errors of Olivi. Clement accepted the decision, and in full consistory, in presence of both parties, ordered them to live in mutual love and charity, to bury the past in oblivion, and not to insult each other for past differences. Ubertino replied, "Holy Father, they call us heretics and defenders of heresy; there are whole books full of this in your archives and those of the Order. They must either allege these things

* Archiv für L. u. K. 1887, pp. 93 sqq.—Hist. Tribulat. (Ibid. 1886, pp. 130, 132–4).—Ehrle (Ibid. 1866, pp. 366, 380).—Wadding. ann. 1310, No. 1–5.—Chron. Glassberger ann. 1310.—Ubertini de Casali Tract. de septem Statibus Ecclesiæ c. iv.

and let us defend ourselves, or they must recall them. Otherwise there can be no peace between us." To this Clement rejoined, "We declare as pope, that from what has been stated on both sides before us, no one ought to call you heretics and defenders of heresy. What exists to that effect in our archives or elsewhere we wholly erase and pronounce to be of no validity against you." The result was seen in the Council of Vienne (1311–12), which adopted the canon known as *Exivi de Paradiso*, designed to settle forever the controversy which had lasted so long. Angelo da Clarino declares that this was based wholly upon the propositions of Ubertino; that it was the crowning victory of the Spirituals, and his heart overflows with joy when he communicates the good news to his brethren. It determined, he says, eighty questions concerning the interpretation of the Rule; hereafter those who serve the Lord in hermitages and are obedient to their bishops are secured against molestation by any person. The inquisitors, he further stated, were placed under control of the bishops, which he evidently regarded as a matter of special importance, for in Provence and Tuscany the Inquisition was Franciscan, and thus in the hands of the Conventuals. We have seen that Clement delayed issuing the decrees of the council. He was on the point of doing so, after careful revision, when his death, in 1314, followed by a long interregnum, caused a further postponement. John XXII. was elected in August, 1316, but he, too, desired time for further revision, and it was not until November, 1317, that the canons were finally issued. That they underwent change in this process is more than probable, and the canon *Exivi de Paradiso* was on a subject peculiarly provocative of alteration. As it has reached us it certainly does not justify Angelo's pæan of triumph. It is true that it insists on a more rigid compliance with the Rule. It forbids the placing of coffers in churches for the collection of money; it pronounces the friars incapable of enjoying inheritances; it deprecates the building of magnificent churches, and convents which are rather palaces; it prohibits the acquisition of extensive gardens and great vineyards, and even the storing up of granaries of corn and cellars of wine where the brethren can live from day to day by beggary; it declares that whatever is given to the Order belongs to the Church of Rome, and that the friars have only the use of it, for they can hold noth-

ing, either individually or in common. In short, it fully justified the complaints of the Spirituals and interpreted the Rule in accordance with their views, but it did not, as Angelo claimed, allow them to live by themselves in peace, and it subjected them to their superiors. This was to remand them into slavery, as the great majority of the Order were Conventuals, jealous of the assumption of superior sanctity by the Spirituals, and irritated by their defeat and by the threatened enforcement of the Rule in all its rigidity. This spirit was still further inflamed by the action of the general, Gonsalvo, who zealously set to work to carry out the reforms prescribed by the canon *Exivi*. He traversed the various provinces, pulling down costly buildings and compelling the return of gifts and legacies to donors and heirs. This excited great indignation among the laxer brethren, and his speedy death, in 1313, was attributed to foul play. The election of his successor, Alessandro da Alessandria, one of the most earnest of the Conventuals, showed that the Order at large was not disposed to submit quietly to pope and council.*

As might have been expected, the strife between the parties became bitterer than ever. Clement's leaning in favor of asceticism is shown by his canonization, in 1313, of Celestin V., but when the Spirituals applied to him for protection against their brethren he contented himself with ordering them to return to their convents and commanding them to be kindly treated. These commands were disregarded. Mutual hatreds were too strong for power not to be abused. Clement did his best to force the Conventuals to submission; as early as July, 1311, he had ordered Bonagrazia to betake himself to the convent of Valcabrère in Comminges, and not to leave it without special papal license. At the same time he summoned before him Guiraud Vallette, the Provincial of Provence, and fifteen of the principal officials of the Order throughout the south of France, who were regarded as the leaders in the oppression of the Spirituals. In public consistory

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* Ubertini Responsio (Archiv für L. u. K. 1887, p. 87).—Baluz. et Mansi II. 278.—Franz Ehrle (Archiv für L. u. K. 1885, pp. 541-2, 545; 1886, p. 362).—Hist. Tribulat. (Ibid. 1886, pp. 138-41).—C. 1, Clement. v. 11.—Wadding. ann. 1312, No. 9; ann. 1313, No. 1.—Chron. Glassberger ann. 1312.—Alvar. Pelag. de Planct. Eccles. Lib. II. art. 67.

he repeated his commands, scolded them for disobedience and rebellion, dismissed from office those who had positions, and declared ineligible those who were not officials. Those whom he ejected he replaced with suitable persons whom he strictly commanded to preserve the peace and show favor to the sorely afflicted minority. In spite of this the scandals and complaints continued, until the general, Alessandro, granted to the Spirituals the three convents of Narbonne, Béziers, and Carcassonne, and ordered that the superiors placed over them should be acceptable. The change was not effected without the employment of force, in which the Spirituals had the advantage of popular sympathy, and the convents thus favored became houses of refuge for the discontented brethren elsewhere. Then for a while there seems to have been quiet, but with Clement's death, in 1314, the turmoil commenced afresh. Bonagrazia, under pretext of sickness, hastened to leave his place of confinement, and joined eagerly in the renewed disturbance; the dismissed officials again made their influence felt; the Spirituals complained that they were abused and defamed in private and in public, pelted with mud and stones, deprived of food and even of the sacraments, despoiled of their habits, and scattered to distant places or imprisoned.*

It is possible that Clement might have found some means of dissolving the bonds between these irreconcilable parties, but for the insubordination of the Italian Spirituals. These grew impatient during the long conferences which preceded the Council of Vienne. Subjected to daily afflictions and despairing of rest within the Order, they eagerly listened to the advice of a wise and holy man, Canon Martin of Siena, who assured them that, however few their numbers, they had a right to secede and elect their own general. Under the lead of Giacopo di San Gemignano they did so, and effected an independent organization. This was rank rebellion and greatly prejudiced the case of the Spirituals at Avignon. Clement would not listen to anything that savored of concessions to those who thus threw off their pledged obedience. He promptly sent commissions for their trial, and they were duly ex-

* Jordan. Chron. c. 326 Partic. iii. (Muratori Antiq. XI. 767).—Hist. Tribulat. (Archiv, 1886, 140-1).—Franz Ehrle (Ibid. 1886, pp. 158-64; 1887, pp. 33, 40).—Raym. de Fronciacho (Ib. 1887, p. 27).

communicated as schismatics and rebels, founders of a superstitious sect, and disseminators of false and pestiferous doctrines. Persecution against them raged more furiously than ever. In some places, supported by the laity, they ejected the Conventuals from their houses and defended themselves by force of arms, disregarding the censures of the Church which were lavished on them. Others made the best of their way to Sicily, and others again, shortly before Clement's death, sent letters to him professing submission and obedience, but the friends of the Spirituals feared to compromise themselves by even presenting them. After the accession of John XXII. they made another attempt to reach the pope, but by that time the Conventuals were in full control and threw the envoys into prison as excommunicated heretics. Such of them as were able to do so escaped to Sicily. It is worthy of note that everywhere the virtues and sanctity of these so-called heretics won for them popular favor, and secured them protection more or less efficient, and this was especially the case in Sicily. King Frederic, mindful of the lessons taught him by Arnaldo de Vilanova, received the fugitives graciously and allowed them to establish themselves, in spite of repeated remonstrances on the part of John XXII. There Henry da Ceva, whom we shall meet again, had already sought refuge from the persecution of Boniface VIII. and had prepared the way for those who were to follow. In 1313 there are allusions to a pope named Celestin whom the "Poor Men" in Sicily had elected, with a college of cardinals, who constituted the only true Church and who were entitled to the obedience of the faithful. Insignificant as this movement may have seemed at the time, it subsequently aided the foundation of the sect known as Fraticelli, who so long braved with marvellous constancy the unsparing rigor of the Italian Inquisition.*

Into these dangerous paths of rebellion the original leaders of

* Hist. Tribulat. (loc. cit. pp. 139-40).—Lami, Antichità Toscane, pp. 596-99. —Franz Ehrle, Archiv, 1885, pp. 156-8.—Joann. S. Victor. Chron. ann. 1319 (Muratori S. R. I. III. II. 479).—Wadding. ann. 1313, No. 4-7.—D'Argentré I. I. 297.—Arch. de l'Inq. de Carcass. (Doat, XXVII. fol. 7 sqq.).—Raym. de Fronciacho (Archiv, 1887, p. 31).

Frà Francesco del Borgo San Sepolcro, who was tried by the Inquisition at Assisi in 1311 for assuming gifts of prophecy, was probably a Tuscan Joachite who refused submission (Franz Ehrle, Archiv für L. u. K. 1887, p. 11).

the Italian Spirituals were not obliged to enter, as they were released from subjection to the Conventuals, and could afford to remain in obedience to Rome. Angelo da Clarino writes to his disciples that torment and death were preferable to separation from the Church and its head; the pope was the bishop of bishops, who regulated all ecclesiastical dignities; the power of the keys is from Christ, and submission is due in spite of persecution. Yet, together with these appeals are others which show how impracticable was the position created by the belief in St. Francis as a new evangelist whose Rule was a revelation. If kings or prelates command what is contrary to the faith, then obedience is due to God, and death is to be welcomed. Francis placed in the Rule nothing but what Christ bade him write, and obedience is due to it rather than to prelates. After the persecution under John XXII. he even quotes a prophecy attributed to Francis, to the effect that men would arise who would render the Order odious, and corrupt the whole Church; there would be a pope not canonically elected who would not believe rightly as to Christ and the Rule; there would be a split in the Order, and the wrath of God would visit those who cleaved to error. With clear reference to John, he says that if a pope condemns evangelical truth as an error he is to be left to the judgment of Christ and the doctors; if he excommunicates as heresy the poverty of the Gospel, he is excommunicate of God and is a heretic before Christ. Yet, though his faith and obedience were thus sorely tried, Angelo and his followers never attempted a schism. He died in 1337, worn out with sixty years of tribulation and persecution—a man of the firmest and gentlest spirit, of the most saintly aspirations, who had fallen on evil days and had exhausted himself in the hopeless effort to reconcile the irreconcilable. Though John XXII. had permitted him to assume the habit and Rule of the Celestins, he was obliged to live in hiding, with his abode known only to a few faithful friends and followers, of some of whom we hear as on trial before the Inquisition as Fraticelli, in 1334. It was in the desert hermitage of Santa Maria di Aspro in the Basilicata; but three days before his death a rumor spread that a saint was dying there, and such multitudes assembled that it was necessary to place guards at the entrance of his retreat, and admit the people two by two to gaze on his dying agonies. He shone in miracles, and was finally

beatified by the Church, which through the period of two generations had never ceased to trample on him, but his little congregation, though lost to sight in the more aggressive energy of the Fraticelli, continued to exist, even after the tradition of self-abnegation was taken up under more fortunate auspices by the Observantines, until it was finally absorbed into the latter in the reorganization of 1517 under Leo X.*

In Provence, even before the death of Clement V., there were ardent spirits, nursing the reveries of the Everlasting Gospel, who were not satisfied with the victory won at the Council of Vienne. When, in 1311, the Conventuals assailed the memory of Olivi, one of their accusations was that he had given rise to sects who claimed that his doctrine was revealed by Christ, that it was of equal authority with the gospel, that since Nicholas III. the papal supremacy had been transferred to them, and they consequently had elected a pope of their own. This Ubertino did not deny, but only argued that he knew nothing of it; that if it were true Olivi was not responsible, as it was wholly opposed to his teaching, of which not a word could be cited in support of such insanity. Yet, undoubtedly there were sectaries calling themselves disciples of Olivi among whom the revolutionary leaven was working, and they could recognize no virtue or authority in the carnal and worldly Church. In 1313 we hear of a Frère Raymond Jean, who, in a public sermon at Montréal, prophesied that they would suffer persecution for the faith, and when, after the sermon, he was asked what he meant, boldly replied in the presence of several persons, "The enemies of the faith are among ourselves. The Church which governs us is symbolled by the Great Whore of the Apocalypse, who persecutes the poor and the ministers of Christ. You see we do not dare to walk openly before our brethren." He added that the only true pope was Celestin, who had been elected in Sicily, and his organization was the only true Church.†

Thus the Spirituals were by no means a united body. When

* Franz Ehrle (Archiv f. L. u. K. 1885, pp. 534-9, 553-5, 558-9, 561, 563-4, 566-9; 1887, p. 406).—S. Francisci Prophet. XIV. (Opp. Ed. 1849, pp. 270-1).—Chron. Glassberger ann. 1502, 1506, 1517.

† Franz Ehrle (Archiv für Litt.- u. K. 1886, pp. 371, 411).—Arch. de l'Inq. de Carcassonne (Doat, XXVII. fol. 7 sqq.).

once the trammels of authority had been shaken off, there was among them too much individuality and too ardent a fanaticism for them to reach precisely the same convictions, and they were fractioned into little groups and sects which neutralized what slender ability they might otherwise have had to give serious trouble to the powerful organization of the hierarchy. Yet, whether their doctrines were submissive like those of Angelo, or revolutionary like those of Raymond Jean, they were all guilty of the unpardonable crime of independence, of thinking for themselves where thought was forbidden, and of believing in a higher law than that of papal decretals. Their steadfastness was soon to be put to the test. In 1314 the general, Alessandro, died, and after an interval of twenty months Michele da Cesena was chosen as his successor. To the chapter of Naples which elected him the Spirituals of Narbonne sent a long memorial reciting the wrongs and afflictions which they had endured since the death of Clement had deprived them of papal protection. The nomination of Michele might seem to be a victory over the Conventuals. He was a distinguished theologian, of resolute and unbending temper, and resolved on enforcing the strict observance of the Rule. Within three months of his election he issued a general precept enjoining rigid obedience to it. The vestments to be worn were minutely prescribed, money was not to be accepted except in case of absolute necessity; no fruits of the earth were to be sold; no splendid buildings to be erected; meals were to be plain and frugal; the brethren were never to ride, nor even to wear shoes except under written permission of their convents when exigency required it. The Spirituals might hope that at last they had a general after their own heart, but they had unconsciously drifted away from obedience, and Michele was resolved that the Order should be a unit, and that all wanderers should be driven back into the fold.*

A fortnight before the issuing of this precept the long interregnum of the papacy had been closed by the election of John XXII. There have been few popes who have so completely embodied the ruling tendencies of their time, and few who have exerted so large an influence on the Church, for good or for evil.

* Franz Ehrle (loc. cit. 1886, pp. 160–4).—Wadding. ann. 1316, No. 5.

Sprung from the most humble origin, his abilities and force of character had carried him from one preferment to another, until he reached the chair of St. Peter. He was short in stature but robust in health, choleric and easily moved to wrath, while his enmity once excited was durable, and his rejoicing when his foes came to an evil end savored little of the Christian pastor. Persistent and inflexible, a purpose once undertaken was pursued to the end regardless of opposition from friend or enemy. He was especially proud of his theologic attainments, ardent in disputation, and impatient of opposition. After the fashion of the time he was pious, for he celebrated mass almost every day, and almost every night he arose to recite the Office or to study. Among his good works is enumerated a poetical description of the Passion of Christ, concluding with a prayer, and he gratified his vanity as an author by proclaiming many indulgences as a reward to all who would read it through. His chief characteristics, however, were ambition and avarice. To gratify the former he waged endless wars with the Visconti of Milan, in which, as we are assured by a contemporary, the blood shed would have incarnadined the waters of Lake Constance, and the bodies of the slain would have bridged it from shore to shore. As for the latter, his quenchless greed displayed an exhaustless fertility of resource in converting the treasures of salvation into current coin. He it was who first reduced to a system the "Taxes of the Penitentiary," which offered absolution at fixed prices for every possible form of human wickedness, from five grossi for homicide or incest, to thirty-three grossi for ordination below the canonical age. Before he had been two years in the papacy he arrogated to himself the presentation to all the collegiate benefices in Christendom, under the convenient pretext of repressing simony, and then from their sale we are told that he accumulated an immense treasure. Another still more remunerative device was the practice of not filling a vacant episcopate from the ranks, but establishing a system of promotion from a poorer see to a richer one, and thence to archbishopries, so that each vacancy gave him the opportunity of making numerous changes and levying tribute on each. Besides these regular sources of unhallowed gains he was fertile in special expedients, as when, in 1326, needing money for his Lombard wars, he applied to Charles le Bel for authority to levy a subsidy on the churches of France,

Germany being for the time cut off by his quarrel with Louis of Bavaria. Charles at first refused, but finally agreed to divide the spoils, and granted the power in consideration of a papal grant to him of a tithe for two years—as a contemporary remarks, "*et ainsi saincte yglise, quant l'un le tont, l'autre l'escorche.*" John proceeded to extort a large sum; from some he got a full tithe, from others a half, from others again as much as he could extract, while all who held benefices under papal authority had to pay a full year's revenue. His excuse for this insatiable acquisitiveness was that he designed the money for a crusade, but as he lived to be a nonagenary without executing that design, the contemporary Villani is perhaps justified in the cautious remark—"Possiby he had such intention." Though for the most part parsimonious, he spent immense sums in advancing the fortunes of his nephew—or son—the Cardinal-legate Poyet, who was endeavoring to found a principality in the north of Italy. He lavished money in making Avignon a permanent residence for the papacy, though it was reserved for Benedict XII. to purchase and enlarge the enormous palace-fortress of the popes. Yet after his death, when an inventory of his effects came to be made, there was found in his treasury eighteen millions of gold florins, and jewels and vestments estimated at seven millions more. Even in mercantile Florence, the sum was so incomprehensible that Villani, whose brother was one of the appraisers, feels obliged to explain that each million is a thousand thousands. When we reflect upon the comparative poverty of the period and the scarcity of the precious metals, we can estimate how great an amount of suffering was represented by such an accumulation, wrung as it was, in its ultimate source, from the wretched peasantry, who gleaned at the best an insufficient subsistence from imperfect agriculture. We can, perhaps, moreover, imagine how, in its passage to the papal treasury, it represented so much of simony, so much of justice sold or denied to the wretched litigants in the curia, so much of purgatory remitted, and of pardons for sins to the innumerable applicants for a share of the Church's treasury of salvation.*

* Villani, Chronica, Lib. xi. c. 20.—Chron. Glassberger ann. 1334.—Vitodurani Chron. (Eccard. Corp. Hist. Med. Ævi I. 1806–8).—Friedrich, Statut. Synod. Wratislav., Hannoveræ, 1827, pp. 37, 38, 41.—Grandes Chroniques, V. 300.—Guillel. Nangiac. Contin. ann. 1326.—The collection of papal briefs relating to

The permanent evil which he wrought by his shameless traffic in benefices, and the reputation which he left behind him, are visible in the bitter complaints which were made at the Council of Siena, a century later, by the deputies of the Gallican nation. They refer to his pontificate as that in which the Holy See reserved all benefices to itself, when graces, expectatives, etc., were publicly sold to the highest bidder, without regard to qualification, so that in France many benefices were utterly ruined by reason of the insupportable burdens laid upon them. It is no wonder, therefore, that when St. Birgitta of Sweden was applied to, in the latter half of the fourteenth century, by some Franciscans to learn whether John's decretals on the subject of the poverty of Christ were correct, and she was vouchsafed two visions of the Virgin to satisfy their scruples, the Virgin reported that his decretals were free from error, but discreetly announced that she was not at liberty to say whether his soul was in heaven or in hell. Such was the man to whom the cruel irony of fate committed the settlement of the delicate scruples which vexed the souls of the Spirituals.*

John had been actively engaged in the proceedings of the Council of Vienne, and was thoroughly familiar with all the details of the question. When, therefore, the general, Michele, shortly after his accession, applied to him to restore unity in the distracted Order, his imperious temper led him to take speedy and vigorous action. King Frederic of Trinacria was ordered to seize the refugees in his dominions, and deliver them to their superiors to be disciplined. Bertrand de la Tour, the Provincial of Aquitaine, was instructed to reduce to obedience the rebels of the convents

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Saxony recently printed by Schmidt (Päbstliche Urkunden und Regesten, pp. 87–295) will explain the immense sums raised by John XXII. from the sale of canonries. It is within bounds to say that more than half the letters issued during his pontificate are appointments of this kind.

The accounts of the papal collector for Hungary in 1320 show the thoroughness with which the first-fruits of every petty benefice were looked after, and the enormous proportion consumed in the process. The collector charges himself with 1913 gold florins received, of which only 732 reached the papal treasury. (Theiner, Monumenta Slavor. Meridional. I. 147).

* Jo. de Ragusio Init. et Prosecut. Basil. Concil. (Monument. Concil. Sæc. XV. T. I. p. 32).—Revelat. S. Brigittæ Lib. VII. c. viii.

of Béziers, Narbonne, and Carcassonne. Bertrand at first tried persuasion. The outward sign of the Spirituals was the habit. They wore smaller hoods, and gowns shorter, narrower, and coarser than the Conventuals; and, holding this to be in accordance with the precedent set by Francis, it was as much an article of faith with them as the absence of granaries and wine-cellars and the refusal to handle money. When he urged them to abandon these vestments they therefore replied that this was one of the matters in which they could not render obedience. Then he assumed a tone of authority under the papal rescript, and they rejoined by an appeal to the pope better informed, signed by forty-five friars of Narbonne, and fifteen of Béziers. On receipt of the appeal, John peremptorily ordered, April 27, 1317, all the appellants to present themselves before him within ten days, under pain of excommunication. They set forth, seventy-four in number, with Bernard Délicieux at their head, and on reaching Avignon did not venture to lodge in the Franciscan convent, but bivouacked for the night on the public place in front of the papal doors.*

They were regarded as much more dangerous rebels than the Italian Spirituals. The latter had already had a hearing in which Ubertino da Casale confuted the charges brought against them, and he, Goffrido da Cornone, and Philippe de Caux, while expressing sympathy and readiness to defend Olivi and his disciples, had plainly let it be seen that they regarded themselves as not personally concerned with them. John drew the same distinction; and though Angelo da Clarino was for a while imprisoned on the strength of an old condemnation by Boniface VIII., he was soon released and permitted to adopt the Celestin habit and Rule. Ubertino was told that if he would return for a few days to the Franciscan convent proper provision would be made for his future. To this he significantly replied, "After staying with the friars for a single day I will not require any provision in this world from you or any one else," and he was permitted to transfer himself to the Benedictine Order, as were likewise several others of his comrades. He had but a temporary respite, how-

* Wadding. ann. 1317, Nos. 9–14.— Hist. Tribulation. (Archiv für L. u. K. 1886, p. 142).—Joann. S. Victor. Chron. ann. 1311, 1316 (Muratori S. R. I. III. II. 460,478).

ever, and we shall see hereafter that in 1325 he was obliged to take refuge with Louis of Bavaria.*

The Olivists were not to escape so easily. The day after their arrival they were admitted to audience. Bernard Délicieux argued their case so ably that he could only be answered by accusing him of having impeded the Inquisition, and John ordered his arrest. Then François Sanche took up the argument, and was accused of having vilified the Order publicly, when John delivered him to the Conventuals, who promptly imprisoned him in a cell next to the latrines. Then Guillaume de Saint-Amand assumed the defence, but the friars accused him of dilapidation and of deserting the Convent of Narbonne, and John ordered his arrest. Then Geoffroi attempted it, but John interrupted him, saying, "We wonder greatly that you demand the strict observance of the Rule, and yet you wear five gowns." Geoffroi replied, "Holy Father, you are deceived, for, saving your reverence, it is not true that I wear five gowns." John answered hotly, "Then we lie," and ordered Geoffroi to be seized until it could be determined how many gowns he wore. The terrified brethren, seeing that their case was prejudged, fell on their knees, crying, "Holy Father, justice, justice!" and the pope ordered them all to go to the Franciscan convent, to be guarded till he should determine what to do with them. Bernard, Guillaume, and Geoffroi, and some of their comrades were subjected to harsh imprisonment in chains by order of the pope. Bernard's fate we have already seen. As to the others, an inquisition was held on them, when all but twenty-five submitted, and were rigorously penanced by the triumphant Conventuals.†

The twenty-five recalcitrants were handed over to the Inquisition of Marseilles, under whose jurisdiction they were arrested. The inquisitor was Frère Michel le Moine, one of those who had been degraded and imprisoned by Clement V. on account of their zeal in persecuting the Spirituals. Now he was able to glut his revenge. He had ample warrant for whatever he might please to do, for John had not waited to hear the Spirituals before condemning them. As early as February 17, he had ordered the inquisi-

* Hist. Tribulat. (ubi sup. pp. 142-44, 151-2).—Franz Ehrle, Archiv, 1887, p. 546.

† Hist. Tribulat. (Ibid. pp. 145-6).—Raym. de Frouciacho (Ib. 1887, p. 29).

tors of Languedoc to denounce as heretics all who styled themselves Fraticelli or *Fratres de paupere vita*. Then, April 13, he had issued the constitution *Quorumdam*, in which he had definitely settled the two points which had become the burning questions of the dispute—the character of vestments to be worn, and the legality of laying up stores of provisions in granaries, and cellars of wine and oil. These questions he referred to the general of the Order with absolute power to determine them. Under Michele's instructions, the ministers and guardians were to determine for each convent what amount of provisions it required, what portion might be stored up, and to what extent the friars were to beg for it. Such decisions were to be implicitly followed without thinking or asserting that they derogated from the Rule. The bull wound up with the significant words, "Great is poverty, but greater is blamelessness, and perfect obedience is the greatest good." There was a hard common-sense about this which may seem to us even commonplace, but it decided the case against the Spirituals, and gave them the naked alternative of submission or rebellion.*

This bull was the basis of the inquisitorial process against the twenty-five recalcitrants. The case was perfectly clear under it, and in fact all the proceedings of the Spirituals after its issue had been flagrantly contumacious—their refusal to change their vestments, and their appeal to the pope better informed. Before handing them over to the Inquisition they had been brought before Michele da Cesena, and their statements to him when read before the consistory had been pronounced heretical and the authors subject to the penalty of heresy. Efforts of course had been made to secure their submission, but in vain, and it was not until November 6, 1317, that letters were issued by John and by Michele da Cesena to the Inquisitor Michel, directing him to proceed with the trial. Of the details of the process we have no knowledge, but it is not likely that the accused were spared any of the rigors customary in such cases, when the desire was to break the spirit and induce compliance. This is shown, moreover, in the fact that the proceedings were protracted for exactly six months, the sentence being rendered on May 7, 1318, and by the further fact that

* Coll. Doat, XXXIV. 147.—Extrav. Joann. XXII. Tit. xiv. cap. 1.

most of the culprits were brought to repentance and abjuration. Only four of them had the physical and mental endurance to persevere to the last—Jean Barrani, Déodat Michel, Guillem Sainton, and Pons Rocha—and these were handed over the same day to the secular authorities of Marseilles and duly burned. A fifth, Bernard Aspa, who had said in prison that he repented, but who refused to recant and abjure, was mercifully condemned to prison for life, though under all inquisitorial rules he should have shared the fate of his accomplices. The rest were forced to abjure publicly and to accept the penances imposed by the inquisitor, with the warning that if they failed to publish their abjuration wherever they had preached their errors they would be burned as relapsed.*

Although in the sentence the heresy of the victims is said to have been drawn from the poisoned doctrine of Olivi, and though the inquisitor issued letters prohibiting any one from possessing or reading his books, there is no allusion to any Joachite error. It was simply a question of disobedience to the bull *Quorumdam*. They affirmed that this was contrary to the Gospel of Christ, which forbade them to wear garments of other fashion than that which they had adopted, or to lay up stores of corn and wine. To this the pope had no authority to compel them; they would not obey him, and this they declared they would maintain until the Day of Judgment. Frivolous as the questions at issue undoubtedly were, it was on the one hand a case of conscience from which reason had long since been banished by the bitterness of controversy, and on the other the necessity of authority compelling obedience. If private judgment were allowed to set aside the commands of a papal decretal, the moral power of the papacy was gone, and with it all temporal supremacy. Yet, underlying all this was the old Joachitic leaven which taught that the Church of Rome had no spiritual authority, and thus that its decrees were not binding on the elect. When Bernard Délicieux was sent, in 1319, from Avignon to Castelnaudari for trial, on the road he talked freely with his escort and made no secret of his admiration for Joachim, even going so far as to say that he had erased from his copy of the Decretum the Lateran canon condemning Joachim's Trinitarian

* Baluz. et Mansi II. 248–51.—Hist. Tribulat. (loc. cit. p. 147).

error, and that if he were pope he would abrogate it. The influence of the Everlasting Gospel is seen in the fact that of those who recanted at Marseilles and were imprisoned, a number fled to the Infidel, leaving behind them a paper in which they defiantly professed their faith, and prophesied that they would return triumphantly after the death of John XXII.*

Thus John, ere yet his pontificate was a year old, had succeeded in creating a new heresy—that which held it unlawful for Franciscans to wear flowing gowns or to have granaries and cellars. In the multiform development of human perversity there has been perhaps none more deplorably ludicrous than this, that man should burn his fellows on such a question, or that men should be found dauntless enough to brave the flames for such a principle, and to feel that they were martyrs in a high and holy cause. John probably, from the constitution of his mind and his training, could not understand that men could be so enamoured of holy poverty as to sacrifice themselves to it, and he could only regard them as obstinate rebels, to be coerced into submission or to pay the penalty. He had taken his stand in support of Michele da Cesena's authority, and resistance, whether active or passive, only hardened him.

The bull *Quorumdam* had created no little stir. A defence of it, written by an inquisitor of Carcassonne and Toulouse, probably Jean de Beaune, shows that its novel positions had excited grave doubts in the minds of learned men, who were not convinced of its orthodoxy, though not prepared to risk open dissent. There is also an allusion to a priest who persisted in maintaining the errors which it condemned and who was handed over to the secular arm,

* Raym. de Fronciacho (Archiv f. L. u. K. 1887, p. 31).—Baluz. et Mansi II. 248-51, 271-2.—Joann. S.Victor. Chron. ann. 1319 (Muratori S. R. I. III. II. 478-9).—MSS. Bib. Nat., fonds latin, No. 4270, fol. 188, 262. Bernard, however, in his examination, denied these allegations as well as Olivi's tenet that Christ was alive when lanced upon the Cross, although he said some MSS. of St. Mark so represented him (fol. 167-8).

Of the remainder of those who were tried at Marseilles the fate is uncertain. From the text it appears that at least some of them were imprisoned. Others were probably let off with lighter penances, for in 1325 Blaise Boerii, a shoemaker of Narbonne, when on trial before the Inquisition of Carcassonne, confessed that he had visited, in houses at Marseilles, three of them at one time and four at another, and had received them in his own house and had conducted them on their way.—Doat, XXVII. 7 sqq.

but who recanted ere the fagots were lighted and was received to penance. To silence discussion, John assembled a commission of thirteen prelates and doctors, including Michele da Cesena, who after due consideration solemnly condemned as heretical the propositions that the pope had no authority to issue the bull, and that obedience was not due to prelates who commanded the laying aside of short and narrow vestments and the storing up of corn and wine. All this was rapidly creating a schism, and the bull *Sancta Romana*, December 30, 1317, and *Gloriosam ecclesiam*, January 23, 1318, were directed against those who under the names of Fraticelli, Beguines, Bizochi, and *Fratres de paupere vita*, in Sicily, Italy, and the south of France, were organizing an independent Order under the pretence of observing strictly the Rule of Francis, receiving multitudes into their sect, building or receiving houses in gift, begging in public, and electing superiors. All such are declared excommunicate *ipso facto*, and all prelates are commanded to see that the sect is speedily extirpated.*

Among the people, the cooler heads argued that if the Franciscan vow rendered all possession sinful it was not a vow of holiness, for in things in which use was consumption, such as bread and cheese, use passed into possession. He who took such a vow, therefore, by the mere fact of living broke that vow, and could not be in a state of grace. The supreme holiness of poverty, however, had been so assiduously preached for a hundred years that a large portion of the population sympathized with the persecuted Spirituals; many laymen, married and unmarried, joined them as Tertiaries, and even priests embraced their doctrines. There speedily grew up a sect, by no means confined to Franciscans, to replace the fast-vanishing Cathari as an object for the energies of the Inquisition. It is the old story over again, of persecuted saints with the familiars ever at their heels, but always finding refuge and hiding-place at the hands of friendly sympathizers. Pierre Trencavel, a priest of Béziers, may be taken as an example. His name recurs frequently in the examinations before the Inquisition as that of one of the principal leaders of the sect. Caught at last, he was thrown into the prison of Carcassonne, but managed to escape,

* Baluz. et Mansi II. 270-1, 274-6.—Extravagant. Joann. XXII. Tit. VII.—Mag. Bull. Roman. I. 193.

when he was condemned in an *auto de fé* as a convicted heretic. Then a purse was raised among the faithful to send him to the East. After an absence of some years he returned and was as active as ever, wandering in disguise throughout the south of France and assiduously guarded by the devotees. What was his end does not appear, but he probably perished at length at the stake as a relapsed heretic, for in 1327 we find him and his daughter Andrée in the pitiless hands of Michel of Marseilles. Jean du Prat, then Inquisitor of Carcassonne, wanted them, in order to extort from them the names of their disciples and of those who had sheltered them. Apparently Michel refused to surrender them, and a peremptory order from John XXII. was requisite to obtain their transfer. In 1325 Bernard Castillon of Montpellier confesses to harboring a number of Beguines in his house, and then to buying a dwelling for them in which he visited them. Another culprit acknowledges to receiving many fugitives in his house at Montpellier. There was ample sympathy for them and ample occasion for it.*

The burning of the four martyrs of Marseilles was the signal for active inquisitorial work. Throughout all the infected region the Holy Office bent its energies to the suppression of the new heresy; and as previously there had been no necessity for concealing opinions, the suspects were readily laid hold of. There was

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* Guill. Nangiac. Contin. ann. 1317.—Coll. Doat, XXVII. 7 sqq., 170; XXXV. 18.—Lib. Sententt. Inq. Tolos. pp. 301, 312, 381.

The case of Raymond Jean illustrates the life of the persecuted Spirituals. As early as 1312 he had commenced to denounce the Church as the Whore of Babylon, and to prophesy his own fate. In 1317 he was one of the appellants who were summoned to Avignon, where he submitted. Remitted to the obedience of his Order, he was sent by his superior to the convent of Anduse, where he remained until he heard the fate of his stancher companions at Marseilles, when he fled with a comrade. Reaching Béziers, they found refuge in a house where, in company with some female apostates from the Order, they lay hid for three years. After this Raymond led a wandering life, associating for a while with Pierre Trencavel. At one time he went beyond seas; then returning, he adopted the habit of a secular priest and assumed the cure of souls, sometimes in Gascony and again in Rodez or east of the Rhone. Captured at last in 1325 and brought before the Inquisition of Carcassonne, after considerable pressure he was induced to recant. His sentence is not given, but doubtless it was perpetual imprisonment.—Doat, XXVII. 7 sqq.

thus an ample harvest, and the rigor of the inquisition set on foot is shown by the order issued in February, 1322, by John XXII, that all Tertiaries in the suspected districts should be summoned to appear and be closely examined. This caused general terror. In the archives of Florence there are preserved numerous letters to the papal curia, written in February, 1322, by the magistrates and prelates of the Tuscan cities, interceding for the Tertiaries, and begging that they shall not be confounded with the new sect of Beguines. This is doubtless a sample of what was occurring everywhere, and the all-pervading fear was justified by the daily increasing roll of martyrs. The test was simple. It was whether the accused believed that the pope had power to dispense with vows, especially those of poverty and chastity. As we have seen, it was a commonplace of the schools, which Aquinas proved beyond cavil, that he had no such power, and even as recently as 1311 the Conventuals, in arguing before Clement V., had admitted that no Franciscan could hold property or take a wife under command from the pope; but things had changed in the interval, and now those who adhered to the established doctrine had the alternative of recantation or the stake. Of course but a small portion of the culprits had the steadfastness to endure to the end against the persuasive methods which the Inquisition knew so well how to employ, and the number of the victims who perished shows that the sect must have been large. Our information is scanty and fragmentary, but we know that at Narbonne, where the bishops at first endeavored to protect the unfortunates, until frightened by the threats of the inquisitors, there were three burned in 1319, seventeen in Lent, 1321, and several in 1322. At Montpellier, persecution was already active in 1319. At Lunel there were seventeen burned; at Béziers, two at one time and seven at another; at Pézénas, several, with Jean Formayron at their head; in Gironde, a number in 1319; at Toulouse, four in 1322, and others at Cabestaing and Lodève. At Carcassonne there were burnings in 1319, 1320, and 1321, and Henri de Chamay was active there between 1325 and 1330. A portion of his trials are still extant, with very few cases of burning, but Mosheim had a list of one hundred and thirteen persons executed at Carcassonne as Spirituals from 1318 to about 1350. All these cases were under Dominican inquisitors, and the Franciscans were even more zealous, if we may believe Wadding's boast

that in 1323 there were one hundred and fourteen burned by Franciscan inquisitors alone. The Inquisition at Marseilles, in fact, which was in Franciscan hands, had the reputation of being excessively severe with the recalcitrant brethren of the Order. In a case occurring in 1329 Frère Guillem de Salvelle, the Guardian of Béziers, states that their treatment there was very harsh and the imprisonment of the most rigorous description. Doubtless Angelo da Clarino has justification for the assertion that the Conventuals improved their triumph over their antagonists like mad dogs and wolves, torturing, slaying, and ransoming without mercy. Trivial as may seem to us the cause of quarrel, we cannot but respect the simple earnestness which led so many zealots to seal their convictions with their blood. Many of them, we are told, courted martyrdom and eagerly sought the flames. Bernard Léon of Montréal was burned for persistently declaring that, as he had vowed poverty and chastity, he would not obey the pope if ordered to take a wife or accept a prebend.*

Ferocious persecution such as this of course only intensified the convictions of the sufferers and their antagonism to the Holy See. So far as regards the ostensible subject of controversy, we learn from Pierre Tort, when he was before the Inquisition of Toulouse in 1322, that it was allowable to lay in stores of corn and wine sufficient for eight or fifteen days, while of salt and oil there might be provision for half a year. As to vestments, Michele da Cesena had exercised the power conferred on him by the bull *Quorumdam* by issuing, in 1317, a precept requiring the gown to be made of coarse stuff, reaching down to cover only half the foot, while the cord was to be of hemp and not of flax. Although he seems to have left the burning question of the hood untouched, this regulation might have satisfied reasonable scruples, but it was a case of conscience which admitted of no compromise. The Spirituals declared that they were not bound to abandon the still shorter and

* Raynald ann. 1322, No. 51.—Archivio di Firenze, Prov. del Convento di Santa Croce, Feb. 1322.—S. Th. Aquin. Summ. Sec. Sec. Q. LXXXVIII. Art. xi.; Q. CLXXXVI. Art. viii. ad 3.—Franz Ehrle (Archiv für Litt.- u. Kirchengeschichte, 1887, p. 156).—Lib. Sententt. Inq. Tolos. pp. 300, 313, 381-93.—Coll. Doat, XXVII., XXVIII.—Mosheim de Beghardis pp. 499, 632.—Vaissette, IV. 182-3.—Wadding. ann. 1317, No. 45.—Hist. Tribulat. (loc. cit. p. 149).—Arch. de l' Inq. de Carcass. (Doat, XXVII. 162).—Johann. S. Victor. Chron. ann. 1316-19.

more ungainly gowns which their tradition attributed to St. Francis, no matter what might be commanded by pope or general, and so large was the importance attributed to the question that in the popular belief the four martyrs of Marseilles were burned because they wore the mean and tightly-fitting garments which distinguished the Spirituals.*

Technically they were right, for, as we have seen above, it had hitherto been generally admitted that the pope could not dispense for vows; and when Olivi developed this to the further position that he could not order anything contrary to an evangelical vow, it was not reckoned among his errors condemned by the Council of Vienne. While all this, however, had been admitted as a theoretical postulate, when it came to be set up against the commands of such a pope as John XXII. it was rebellious heresy, to be crushed with the sternest measures. At the same time it was impossible that the sufferers could recognize the authority which was condemning them to the stake. Men who willingly offered themselves to be burned because they asserted that the pope had no power to dispense from the observance of vows; who declared that if there were but one woman in the world, and if she had taken a vow of chastity, the pope could give her no valid dispensation, even if it were to prevent the human race from coming to an end; who asserted that John XXII. had sinned against the gospel of Christ when he had attempted to permit the Franciscans to have granaries and cellars; who held that although the pope might have power over other Orders he had none over that of St. Francis, because his Rule was divine revelation, and not a word in it could be altered or erased—such men could only defend themselves against the pope by denying the source of his authority. All the latent Joachitic notions which had been dormant were vivified and became the leading principles of the sect. John XXII., when he issued the bull *Quorumdam*, became the mystical Antichrist, the forerunner of the true Antichrist. The Roman Church was the carnal Church; the Spirituals would form the new Church, which would fight with Antichrist, and, under the guidance of the Holy Ghost, would usher in the new age when man would

* Lib. Sententt. Inq. Tolosan. pp. 320, 325.—Wadding. ann. 1317, No. 23.—Coll. Doat, XXVII. 7 sqq.

be ruled by love and poverty be universal. Some of them placed this in 1325, others in 1330, others again in fourteen years from 1321. Thus the scheme of the Everlasting Gospel was formally adopted and brought to realization. There were two churches—one the carnal Church of Rome, the Whore of Babylon, the Synagogue of Satan, drunk with the blood of the saints, over which John XXII. pretended to preside, although he had forfeited his station and become a heretic of heretics when he consented to the death of the martyrs of Marseilles. The other was the true Church, the Church of the Holy Ghost, which would speedily triumph through the arms of Frederic of Trinacria. St. Francis would be resurrected in the flesh, and then would commence the third age and the seventh and last state of mankind. Meanwhile, the sacraments were already obsolete and no longer requisite for salvation. It is to this period of frenzied exaltation that we may doubtless attribute the interpolations of Olivi's writings.*

This new Church had some sort of organization. In the trial of Naprous Boneta at Carcassonne, in 1325, there is an allusion to a Frère Guillem Giraud, who had been ordained by God as pope in place of John XXII., whose sin had been as great as Adam's, and who had thus been deposed by the divine will. There were not lacking saints and martyrs, besides Francis and Olivi. Fragments of the bodies and bones of those who perished at the stake were treasured up as relics, and even pieces of the stakes at which they suffered. These were set before altars in their houses, or carried about the person as amulets. In this cult, the four martyrs of Marseilles were pre-eminently honored; their suffrages with God were as potent as those of St. Laurence or St. Vincent, and in them Christ had been spiritually crucified on the four arms of the cross. One poor wretch, who was burned at Toulouse in 1322, had inserted in his litany the names of seventy Spirituals who had suffered; he invoked them among the other saints, attaching equal importance to their intervention; and this was doubtless a customary and recognized form of devotion. Yet this cult was simpler than that of the orthodox Church, for it was held that the

* Lib. Sententt. Inq. Tolosan. pp. 298-99, 302-6, 316.—Bern. Guidon. Practica P. v.—Doat, XXVII. 7 sqq.—Johann. S. Victor. Chron. ann. 1316-19 (Muratori S. R. I. III. II. 478-9).

saints needed no oblations, and if a man had vowed a candle to one of them or to the Virgin, or a pilgrimage to Compostella, it would be better to give to the poor the money that it would cost.*

The Church composed of these enthusiastic fanatics broke off all relations with the Italian Spirituals, whose more regulated zeal seemed lukewarmness and backsliding. The prisoners who were tried by Bernard Gui in 1322 at Toulouse described the Franciscan Order as divided into three fragments—the Conventuals, who insisted on having granaries and cellars, the Fraticelli under Henry da Ceva in Sicily, and the Spirituals, or Beguines, then under persecution. The two former groups they said did not observe the Rule and would be destroyed, while their own sect would endure to the end of the world. Even the saintly and long-suffering Angelo da Clarino was denounced as an apostate, and there were hot-headed zealots who declared that he would prove to be the mystical Antichrist. Others were disposed to assign this doubtful honor, or even the position of the greater Antichrist, to Felipe of Majorca, brother of that Ferrand whom we have seen offered the sovereignty of Carcassonne. Felipe's thirst for asceticism had led him to abandon his brother's court and become a Tertiary of St. Francis. Angelo alludes to him repeatedly, with great admiration, as worthy to rank with the ancient perfected saints. In the stormy discussions soon after John's accession he had intervened in favor of the Spirituals, petitioning that they be allowed to form a separate Order. After taking the full vows, he renewed this supplication in 1328, but it was refused in full consistory, after which we hear of him wandering over Europe and living on beggary. In 1341, with the support of Robert of Naples, he made a third application, which Benedict XII. rejected for the reason that he was a supporter and defender of the Beguines, whom he had justified after their condemnation by publicly asserting many enormous heretical lies about the Holy See. Such were the men whose self-devotion seemed to these fiery bigots so tepid as to render them objects of detestation.†

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* Doat, XXVII. 7 sqq.—Lib. Sententt. Inq. Tolos. pp. 305, 307, 310, 383–5.—Bern. Guidon. Practica P. v.

† Lib. Sententt. Inq. Tolos. pp. 303, 309, 326, 330.—Bern. Guidon. Practica P. v.—Franz Ehrle (op. cit. 1885, pp. 540, 543, 557).—Raym. de Fronciacho (Ib.

The heights of exaltation reached in their religious delirium are illustrated by the career of Naprous Boneta, who was reverenced in the sect as an inspired prophetess. As early as 1315 she had fallen into the hands of the Inquisition at Montpellier, and had been thrown into prison, to be subsequently released. She and her sister Alissette were warmly interested in the persecuted Spirituals, and gave refuge to many fugitives in their house. As persecution grew hotter, her exaltation increased. In 1320 she commenced to have visions and ecstasies, in which she was carried to heaven and had interviews with Christ. Finally, on Holy Thursday, 1321, Christ communicated to her the Divine Spirit as completely as it had been given to the Virgin, saying, "The Blessed Virgin Mary was the giver of the Son of God: thou shalt be the giver of the Holy Ghost." Thus the promises of the Everlasting Gospel were on the point of fulfilment, and the Third Age was about to dawn. Elijah, she said, was St. Francis, and Enoch was Olivi; the power granted to Christ lasted until God gave the Holy Spirit to Olivi, and invested him with as much glory as had been granted to the humanity of Christ. The papacy has ceased to exist, the sacraments of the altar and of confession are superseded, but that of matrimony remains. That of penitence, indeed, still exists, but it is purely internal, for heartfelt contrition works forgiveness of sins without sacerdotal intercession or the imposition of penance. One remark, which she casually made when before her judges, is noteworthy as manifesting the boundless love and charity of these poor souls. The Spirituals and lepers, she said, who had been burned were like the innocents massacred by Herod—it was Satan who procured the burning of the Spirituals and lepers. This alludes to the hideous cruelties which, as we have seen, were perpetrated on the lepers in 1321 and 1322, when the whole of France went mad with terror over a rumored poisoning of the wells by these outcasts, and when, it seems, the Spirituals were wise enough and humane enough to sympathize with them and condemn their murder. Naprous, at length, was brought before Henri de Chamay,

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1887, p. 29.—Guillel. Nangiac. Contin. ann. 1330.—Wadding. ann. 1341, No. 21, 23.

A subdivision of the Italian Fraticelli took the name of Brethren of Fray Felipe de Mallorca (Tocco, Archivio Storico Napoletano, 1887, Fasc. 1).

the Inquisitor of Carcassonne, in 1325. Sincere in the belief of her divine mission, she spontaneously and fearlessly related her history and stated her faith, and in her replies to her examiners she was remarkably quick and intelligent. When her confession was read over to her she confirmed it, and to all exhortations to retract she quietly answered that she would live and die in it as the truth. She was accordingly handed over to the secular arm and sealed her convictions with her blood.*

Extravagances of belief such as this were not accompanied with extravagance of conduct. Even Bernard Gui has no fault to find with the heretics' mode of life, except that the school of Satan imitated the school of Christ, as laymen imitate like monkeys the pastors of the Church. They all vowed poverty and led a life of self-denial, some of them laboring with their hands and others begging by the wayside. In the towns and villages they had little dwellings which they called Houses of Poverty, and where they dwelt together. On Sundays and feast-days their friends would assemble and all would listen to readings from the precepts and articles of faith, the lives of the saints, and their own religious books in the vulgar tongue—mostly the writings of Olivi, which they regarded as revelations from God, and the "*Transitus Sancti Patris*," which was a legendary account of his death. The only external signs by which Bernard says they were to be recognized were that on meeting one another, or entering a house, they would say, "Blessed be Jesus Christ," or "Blessed be the name of the Lord Jesus Christ." When praying in church or elsewhere they sat with hooded heads and faces turned to the wall, not standing or kneeling, or striking their hands, as was customary with the orthodox. At dinner, after asking a blessing, one of them would kneel and recite *Gloria in excelsis*, and after supper, *Salve Regina*. This was all inoffensive enough, but they had one peculiarity to which Bernard as an inquisitor took strong exceptions. When on trial they were ready enough to confess their own faith, but nothing would induce them to betray their associates. In their simplicity they held that this would be a violation of Christian charity to which they could not lawfully be compelled, and the inquisitor wasted infinite pains in the endeavor to show that it is charity to

* Coll. Doat, XXVII. 7 sqq., 95.

one's neighbor, and not an injury, to give him a chance of conversion.*

Evidently these poor folk would have been harmless enough if let alone, and their persecution could only be justified by the duty of the Church to preserve erring souls from perdition. A sect based upon the absolute abnegation of property as its chief principle, and the apocalyptic reveries of the Everlasting Gospel, could never become dangerous, though it might be disagreeable, from its mute—or perhaps vivacious—protest against the luxury and worldliness of the Church. Even if let alone it would probably soon have died out. Springing as it did in a region and at a period in which the Inquisition was thoroughly organized, it had no chance of survival, and it speedily succumbed under the ferocious energy of the proceedings brought to bear against it. Yet we cannot fix with any precision the date of its extinction. The records are imperfect, and those which we possess fail to draw a distinction between the Spirituals and the orthodox Franciscans, who, as we shall see, were driven to rebellion by John XXII. on the question of the poverty of Christ. This latter dogma became one of so much larger importance that the dreams of the Spirituals were speedily lost to view, and in the later cases it is reasonable to assume that the victims were Fraticelli. Still, there are several prosecutions on record at Carcassonne in 1329, which were doubtless of Spirituals. One of them was of Jean Roger, a priest who had stood in high consideration at Béziers; he had been an associate of Pierre Trencavel in his wanderings, and the slight penance imposed on him would seem to indicate that the ardor of persecution was abating, though we learn that the bones of the martyrs of Marseilles were still handed around as relics. John XXII. was not disposed to connive at any relaxation of rigor, and in February, 1331, he reissued his bull *Sancta Romana*, with a preface addressed to bishops and inquisitors in which he assumes that the sect is flourishing as vigorously as ever, and orders the most active measures taken for its suppression. Doubtless there were subsequent prosecutions, but the sect as a distinctive one faded out of sight.†

During the period of its active existence it had spread across

* Bern. Guidon. Practica P. v. † Doat, XXVII. 156, 170, 178, 215; XXXII. 147.

the Pyrenees into Aragon. Even before the Council of Béziers, in 1299, took official cognizance of the nascent heresy, the bishops of Aragon, assembled at Tarragona in 1297, instituted repressive measures against the Beguines who were spreading errors throughout the kingdom, and all Franciscan Tertiaries were subjected to supervision. Their books in the vulgar tongue were especially dreaded, and were ordered to be surrendered. These precautions did not avert the evil. As we have seen, Arnaldo de Vilanova became a warm advocate of the Spirituals; his indefatigable pen was at their service, his writings had wide circulation, and his influence with Jayme II. protected them. With his death and that of Clement V. persecution commenced. Immediately after the latter event, in 1314, the Inquisitor Bernardo de Puycerda, one of Arnaldo's special antagonists, undertook their suppression. At their head stood a certain Pedro Oler, of Majorca, and Fray Bonato. They were obstinate, and were handed over to the secular arm, when all were burned except Bonato, who recanted on being scorched by the flames. He was dragged from the burning pile, cured, and condemned to perpetual imprisonment, but after some twenty years he was found to be still secretly a Spiritual, and was burned as a relapsed in 1335. Emboldened by the accession of John XXII., in November, 1316, Juan de Llotger, the inquisitor, and Jofre de Cruilles, provost of the vacant see of Tarragona, called together an assembly of Dominicans, Franciscans, and Cistercians, who condemned the apocalyptic and spiritualistic writings of Arnaldo, which were ordered to be surrendered within ten days under pain of excommunication. The persecution continued. Durán de Baldach was burned as a Spiritual, with a disciple, in 1325. About the same time John XXII. issued several bulls commanding strict inquisition to be made for them throughout Aragon, Valencia, and the Balearic Isles, and subjecting them to the jurisdiction of the bishops and inquisitors in spite of any privileges or immunities which they might claim as Franciscans. The heresy, however, seems never to have obtained any firm foothold on Spanish soil. Yet it penetrated even to Portugal, for Alvaro Pelayo tells us that there were in Lisbon some pseudo-Franciscans who applauded the doctrine that Peter and his successors had not received from Christ the power which he held on earth.*

* Concil. Tarraconens. ann. 1297 c. 1-4 (Martene Ampl. Coll. VII. 305-6).—

A somewhat different development of the Joachitic element is seen in the Franciscan Juan de Pera-Tallada or de Rupescissa, better known perhaps through Froissart as Jean de la Rochetaillade. As a preacher and missionary he stood pre-eminent, and his voice was heard from his native Catalonia to distant Moscow. Somewhat given to occult science, various treatises on alchemy have been attributed to him, among which Pelayo tells us that it is difficult to distinguish the genuine from the doubtful. Not only in this did he follow Arnaldo de Vilanova, but in mercilessly lashing the corruptions of the Church, and in commenting on the prophecies of the pseudo-Joachim. No man of this school seemed able to refrain from indulging in prophecy himself, and Juan gained wide reputation by predictions which were justified by the event, such as the battle of Poitiers and the Great Schism. Perhaps this might have been forgiven had he not also foretold that the Church would be stripped of the superfluities which it had so shockingly abused. One metaphor which he employed was largely quoted. The Church, he said, was a bird born without feathers, to which all other fowls contributed plumage, which they would reclaim in consequence of its pride and tyranny. Like the Spirituals he looked fondly back to the primitive days before Constantine, when in holy poverty the foundations of the faith were laid. He seems to have steered clear of the express heresy as to the poverty of Christ, and when he came to Avignon, in 1349, to proclaim his views, although several attempts to burn him were ineffectual, he was promptly thrown into jail. He was "*durement grand clerc*," and his accusers were unable to convict him, but he was too dangerous a man to be at large, and he was kept in confinement. When he was finally liberated is not stated, but if Pelayo is correct in saying that he returned home at the age of ninety he must have been released after a long incarceration.*

Eymeric. pp. 265-6.—Raynald. ann. 1325, No. 20.—Mosheim de Beghardis p. 641.—Pelayo, Heterodoxos Españoles, I. 777-81, 783.—For the fate of Arnaldo de Vilanova's writings in the Index Expurgatorius, see Reusch, Der Index der verbotenen Bücher, I. 33-4. Two of the tracts condemned in 1316 have been found, translated into Italian, in a MS. of the Magliabecchian Library, by Prof. Tocco, who describes them in the Archivio Storico Italiano, 1886, No. 6, and in the Giornale Storico della Lett. Ital. VIII. 3.

* Pelayo, Heterodoxos Españoles, I. 500-2.—Jo. de Rupesciss. Vade mecum

The ostensible cause of his punishment was his Joachitic speculation as to Antichrist, though, as Wadding observes, many holy men did the same without animadversion, like St. Vicente Ferrer, who in 1412 not only predicted Antichrist, but asserted that he was already nine years old, and who was canonized, not persecuted. Milicz of Cremsier also, as we have seen, though persecuted, was acquitted. Fray Juan's reveries, however, trenched on the borders of the Everlasting Gospel, although keeping within the bounds of orthodoxy. In his prison, in November, 1349, he wrote out an account of a miraculous vision vouchsafed him in 1345, in return for continued prayer and maceration. Louis of Bavaria was the Antichrist who would subjugate Europe and Africa in 1366, while a similar tyrant would arise in Asia. Then would come a schism with two popes; Antichrist would lord it over the whole earth and many heretical sects would arise. After the death of Antichrist would follow fifty-five years of war; the Jews would be converted, and with the destruction of the kingdom of Antichrist the Millennium would open. Then the converted Jews would possess the world, all would be Tertiaries of St. Francis, and the Franciscans would be models of holiness and poverty. The heretics would take refuge in inaccessible mountains and the islands of the sea, whence they would emerge at the close of the Millennium; the second Antichrist would appear and bring a period of great suffering, until fire would fall from heaven and destroy him and his followers, after which would follow the end of the world and the Day of Judgment.*

Meditation in prison seems to have modified somewhat his prophetic vision, and in 1356 he wrote his *Vade mecum in Tribulatione*, in which he foretold that the vices of the clergy would lead to the speedy spoliation of the Church; in six years it would be reduced to a state of apostolical poverty, and by 1370 would commence the process of recuperation which would bring all mankind under the domination of Christ and of his earthly representative.

(Fascic. Rer. Expetend. et Fugiend. II. 497).—Froissart, Liv. I. P. ii. ch. 194; Liv. III. ch. 27.—Rolewink Fascic. Temp. ann. 1364.—Mag. Chron. Belgic. (Pistorii III. 336).—Meyeri Annal. Flandr. ann. 1359.—Henr. Rebdorff. Annal. ann. 1351.—Paul Æmylii de Reb. Gest. Francor. (Ed. 1569, pp. 491-2).—M. Flac. Illyr. Cat. Test. Veritat. Lib. XVIII. p. 1786 (Ed. 1608).

* Wadding. ann. 1357, No. 17.—Pelayo, op. cit. I. 501-2.

During the interval there would be a succession of the direst calamities. From 1360 to 1365 the worms of the earth would arise and destroy all beasts and birds; tempest and deluge and earthquake, famine and pestilence and war would sweep away the wicked; in 1365 Antichrist would come, and such multitudes would apostatize that but few faithful would be left. His reign would be short, and in 1370 a pope canonically elected would bring mankind to Christianity, after which all cardinals would be chosen from the Greek Church. During these tribulations the Franciscans would be nearly exterminated, in punishment for their relaxation of the Rule, but the survivors would be reformed and the Order would fill the earth, innumerable as the stars of heaven; in fact, two Franciscans of the most abject poverty were to be the Elias and Enoch who would conduct the Church through that disastrous time. Meanwhile he advised that ample store should be made in mountain caves of beans and honey, salt meats, and dried fruits by those who desired to live through the convulsions of nature and society. After the death of Antichrist would come the Millennium; for seven hundred years, or until about A.D. 2000, mankind would be virtuous and happy, but then would come a decline; existing vices, especially among the clergy, would be revived, preparatory to the advent of Gog and Magog, to be followed by the final Antichrist. It shows the sensitiveness of the hierarchy that this harmless nympholepsy was deemed worthy of severe repression.*

The influence of the Everlasting Gospel was not yet wholly exhausted. I have alluded above to Thomas of Apulia, who in 1388 insisted on preaching to the Parisians that the reign of the Holy Ghost had commenced, and that he was the divinely commissioned envoy sent to announce it, when his mission was humanely cut short by confining him as a madman. Singularly identical in all but the result was the career of Nicholas of Buldesdorf, who, about 1445, proclaimed that God had commanded him to announce that the time of the New Testament had passed away, as that of the Old had done; that the Third Era and Seventh Age of the world had come, under the reign of the Holy Ghost, when man would be restored to the state of primal innocence; and that he was the Son of God deputed to spread the glad tidings. To

* Fascic. Rer. Expetend. et Fugiend. II. 494-508.

the council still sitting at Basle he sent various tracts containing these doctrines, and he finally had the audacity to appear before it in person. His writings were promptly consigned to the flames and he was imprisoned. Every effort was made to induce him to recant, but in vain. The Basilian fathers were less considerate of insanity than the Paris doctors, and Nicholas perished at the stake in 1446.*

A last echo of the Everlasting Gospel is heard in the teaching of two brothers, John and Lewin of Würzburg, who in 1466 taught in Eger that all tribulations were caused by the wickedness of the clergy. The pope was Antichrist, and the cardinals and prelates were his members. Indulgences were useless and the ceremonies of the Church were vanities, but the time of deliverance was at hand. A man was already born of a virgin, who was the anointed of Christ and would speedily come with the third Evangel and bring all the faithful into the fold. The heresy was rapidly and secretly spreading among the people, when it was discovered by Bishop Henry of Ratisbon. The measures taken for its suppression are not recorded, and the incident is only of interest as showing how persistently the conviction reappeared that there must be a final and higher revelation to secure the happiness of man in this world and his salvation in the next.†

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* Füesslins neue u. unpartheyische Kirchen- u. Ketzerhistorie, Frankfurt, 1772, II. 63–66.

† Chron. Glassberger ann. 1466 (Analecta Franciscana II. 422–6).

CHAPTER II.

GUGLIELMA AND DOLCINO.

THE spiritual exaltation which produced among the Franciscans the developments described in the last chapter was by no means confined to the recognized members of that Order. It manifested itself in even more irregular fashion in the little group of sectaries known as Guglielmites, and in the more formidable demonstration of the Dolcinists, or Apostolic Brethren.

About the year 1260 there came to Milan a woman calling herself Guglielma. That she brought with her a son shows that she had lived in the world, and was doubtless tried with its vicissitudes, and as the child makes no further appearance in her history, he probably died young. She had wealth, and was said to be the daughter of Constance, queen and wife of the King of Bohemia. Her royal extraction is questionable, but the matter is scarce worth the discussion which it has provoked.* She was a woman of pre-eminent piety, who devoted herself to good works, without practising special austerities, and she gradually attracted around her a little band of disciples, to whom such of her utterances as have been recorded show that she gave wholesome ethical instruction.

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* Constance, daughter of Bela III. of Hungary, was second wife of Ottokar I. of Bohemia, who died in 1230 at the age of eighty. She died in 1240, leaving three daughters, Agnes, who founded the Franciscan convent of St. Januarius in Prague, which she entered May 13, 1236; Beatrice, who married Otho the Pious, of Brandenburg, and Ludomilla, who married Louis I. of Bavaria. Guglielma can scarce have been either of these (Art de Ver. les Dates, VIII. 17). Her disciple, Andrea Saramita, testified that after her death he journeyed to Bohemia to obtain reimbursement of certain expenses; he failed in his errand, but verified her relationship to the royal house of Bohemia (Andrea Ogniben, I Guglielmiti del Secolo XIII., Perugia, 1867, pp. 10-11).—On the other hand, a German contemporary chronicler asserts that she came from England (Annal. Dominican. Colmariens. ann. 1301—Urstisii III. 33).

They adopted the style of plain brown garment which she habitually wore, and seem to have formed a kind of unorganized congregation, bound together only by common devotion to her.*

At that period it was not easy to set bounds to veneration; the spiritual world was felt to be in the closest relation with the material, and the development of Joachitism shows how readily received were suggestions that a great change was impending, and a new era about to open for mankind. Guglielma's devotees came to regard her as a saint, gifted with thaumaturgic power. Some of her disciples claimed to be miraculously cured by her—Dr. Giacobbe da Ferno of an ophthalmic trouble, and Albertono de' Novati of a fistula. Then it was said that she had received the supereminent honor of the Stigmata, and although those who prepared her body for the grave could not see them, this was held to be owing to their unworthiness. It was confidently predicted that she would convert the Jews and Saracens, and bring all mankind into unity of faith. At last, about 1276, some of the more enthusiastic disciples began to whisper that she was the incarnation of the Holy Ghost, in female form—the Third Person of the Trinity, as Christ was of the Second, in the shape of a man. She was very God and very man; it was not alone the body of Christ which suffered in the Passion, but also that of the Holy Ghost, so that her flesh was the same as that of Christ. The originators of this strange belief seem to have been Andrea Saramita, a man of standing in Milan, and Suor Maifreda di Pirovano, an Umiliata of the ancient convent of Biassono, and a cousin of Matteo Visconti. There is no probability that Guglielma countenanced these absurd stories. Andrea Saramita was the only witness who asserted that he had them from her direct, and he had a few days before testified to the contrary. The other immediate disciples of Guglielma stated that she made no pretensions to any supernatural character. When people would ask her to cure them or relieve them of trouble she would say, "Go, I am not God." When told of the strange beliefs entertained of her she strenuously asserted that she was only a miserable woman and a vile worm. Marchisio Secco, a monk of Chiaravalle, testified that he had had a dispute with Andrea on the subject, and they agreed to refer it to her, when she indig-

* Ogniben, op. cit. pp. 56, 73–5, 103–4.

nantly replied that she was flesh and bone, that she had brought a son with her to Milan, and that if they did not do penance for uttering such words they would be condemned to hell. Yet, to minds familiar with the promises of the Everlasting Gospel, it might well seem that the era of the Holy Ghost would be ushered in with such an incarnation.*

Guglielma died August 24, 1381, leaving her property to the great Cistercian house of Chiaravalle, near Milan, where she desired to be buried. There was war at the time between Milan and Lodi; the roads were not safe, and she was temporarily interred in the city, while Andrea and Dionisio Cotta went to the Marquis of Montferrat to ask for an escort of troops to accompany the cortége. The translation of the body took place in October, and was conducted with great splendor. The Cistercians welcomed the opportunity to add to the attractions and revenues of their establishment. At that period the business of exploiting new saints was exceedingly profitable, and was prosecuted with corresponding energy. Salimbene complains bitterly of it in referring to a speculation made in 1279, at Cremona, out of the remains of a drunken vintner named Alberto, whose cult brought crowds of devotees with offerings, to the no small gain of all concerned. Such things, as we have seen in the case of Armanno Pongilupo and others, were constantly occurring, though Salimbene declares that the canons forbade the veneration of any one, or picturing him as a saint, until the Roman Church had authoritatively passed upon his claims. In this Salimbene was mistaken. Zangbino Ugolini, a much better authority, assures us that the worship of uncanonized saints was not heretical, if it were believed that their miracles were worked by God at their intercession, but if it were believed that they were worked by the relics without the assent of God, then the Inquisition could intervene and punish; but so long as a saint was uncanonized his cult was at the discretion of the bishop, who could at any time command its cessation, and the

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Ogniben, op. cit. pp. 12, 20–1, 35–7, 69, 70, 74, 76, 82, 84–6, 101, 104–6, 116. Dr. Andrea Ogniben, to whom we are indebted for the publication of the fragmentary remains of the trial of the Guglielmites, thinks that Maifreda di Pirovano was a cousin of Matteo Visconti, through his mother, Anastasia di Pirovano (op. cit. p. 23). The Continuation of Nangis calls her his half-sister (Guillel. Nangiac. Contin. ann. 1317).

mere fact that miracles were performed was no evidence, as they are frequently the work of demons to deceive the faithful.*

In this case the Archbishop of Milan offered no interference, and the worship of Guglielma was soon firmly established. A month after the translation Andrea had the body exhumed and carried into the church, where he washed it with wine and water and arrayed it in a splendid embroidered robe. The washings were carefully preserved, to be used as a chrism for the sick; they were placed on the altar of the nunnery of Biassono, and Maifreda employed them in anointing the affected parts of those who came to be healed. Presently a chapel with an altar arose over her tomb, and tradition still points out at Chiaravalle the little oratory where she is said to have lain, and a portrait on the wall over the vacant tomb is asserted to be hers. It represents her as kneeling before the Virgin, to whom she is presented by St. Bernard, the patron of the abbey; a crowd of other figures is around her, and the whole indicates that those who dedicated it to her represented her as merely a saint, and not as an incarnation of the Godhead. Another picture of her was placed by Dionisio Cotta in the Church of St. Maria fuori di Porta Nuova, and two lamps were kept burning before it to obtain her suffrage for the soul of his brother interred there. Other pictures were hung in the Church of S. Eufemia and in the nunnery of Biassono. In all this the good monks of Chiaravalle were not remiss. They kept lighted lamps before her altar. Two feast-days were assigned to her—the anniversaries of her death and of her translation—when the devotees would assemble at the abbey, and the monks would furnish a simple banquet, outside of the walls—for the Cistercian rules forbade the profanation of a woman's presence within the sacred enclosure—and some of the monks would discourse eloquently upon the saintliness of Guglielma, comparing her to other saints and to the moon and stars, and receiving such oblations as the piety of the worshippers would offer. Nor was this the only gain to the abbey. Giacobbe de' Novati, one of the believers, belonged to one of the noblest families of Milan, and at his castle the Guglielmites

* Ogniben, op. cit. pp. 30, 44, 115.—Salimbene Chronica, pp. 274-6.—Chron. Parmens. ann. 1279 (Muratori S. R. I. IX. 791-2).—Zanchini Tract. de Hæret. c. xxii.

were wont to assemble. When he died he instituted the abbey as his heir, and the inheritance could not have been inconsiderable. There were, doubtless, other instances of similar liberality of which the evidences have not reached us.*

All this was innocent enough, but within the circle of those who worshipped Guglielma there was a little band of initiated who believed in her as the incarnation of the Holy Ghost. The history of the Joachites has shown us the readiness which existed to look upon Christianity as a temporary phase of religion, to be shortly succeeded by the reign of the Holy Ghost, when the Church of Rome would give place to a new and higher organization. It was not difficult, therefore, for the Guglielmites to persuade themselves that they had enjoyed the society of the Paraclete, who was shortly to appear, when the Holy Spirit would be received in tongues of flame by the disciples, the heathen and the Jew would be converted, and there would be a new church ushering in the era of love and blessedness, for which man had been sighing through the weary centuries. Of this doctrine Andrea was chief apostle. He claimed to be the first and only spiritual son of Guglielma, from whom he had received the revelation, and he embroidered it to suit the credulity of the disciples. The Archangel Raphael had announced to the blessed Constance the incarnation in her of the Holy Ghost; a year afterwards, Guglielma was born on the holy day of Pentecost; she had chosen the form of a woman, for if she had come as man she would have died like Christ, and the whole world would have perished. On one occasion, in her chamber, she had changed a chair into an ox, and had told him to hold it if he could, but when he attempted to do so it disappeared. The same indulgences were obtainable by visiting her tomb at Chiaravalle as by a pilgrimage to the Holy Sepulchre. Wafers which had been consecrated by laying them on the tomb were eagerly partaken of by the disciples, as a new form of communion. Besides the two regular feast-days, there was a third for the initiated, significantly held on Pentecost, the day when she was expected to reappear. Meanwhile, the devotion of the faithful was stimulated by stories of her being in communication with

* Ogniben, op. cit. pp. 20–1, 25–6, 31, 36, 49–50, 56–7, 61, 72–3, 74, 93–4, 104, 116.—Tamburini, Storia dell' Inquisizione, II. 17–18.

her representatives, both in her own form and in that of a dove. How slight was the evidence required for believers was seen in an incident which gave them great comfort in 1293. At a banquet in the house of Giacobbe da Ferno, a warm discussion arose between those who doubted and those whose convictions were decided. Carabella, wife of Amizzone Toscano, one of the earnest believers, was sitting on her mantle, and when she arose she found three knots in the cords which had not been there before. This was at once pronounced a great miracle, and was evidently regarded as a full confirmation of the truth.*

If it were not for the tragedy which followed there would be nothing to render Guglielmitism other than a jest, for the Church which was to replace the massive structure of Latin Christianity was as ludicrous in its conception as these details of its faith. The Gospels were to be replaced by sacred writings produced by Andrea, of which he had already prepared several, in the names of some of the initiated—"The Epistle of Sibilia to the Novaresi," "The Prophecy of Carmeo the Prophet to all Cities and Nations," and an account of Guglielma's teachings commencing, "In that time the Holy Ghost said to his disciples." Maifreda also composed litanies of the Holy Ghost and prayers for the use of the Church. When, on the second advent of Guglielma, the papacy was to pass away, Maifreda was to become pope, the vicar of the Holy Ghost, with the keys of heaven and hell, and baptize the Jew and the Saracen. A new college of cardinals was to be formed, of whom only one appears to have been selected—a girl named Taria, who, to judge from her answers when before the Inquisition, and the terms of contempt in which she is alluded to by some of the sect, was a worthy representative of the whole absurd scheme. While awaiting her exaltation to the papacy Maifreda was the object of special veneration. The disciples kissed her hands and feet, and she gave them her blessing. It was probably the spiritual excitement caused by the jubilee proclaimed by Boniface VIII., attracting pilgrims to Rome by the hundred thousand to gain the proffered indulgences, which led the Guglielmites to name the Pentecost of 1300 for the advent of the Holy Ghost. With a curious manifestation of materialism, the worshippers pre-

* Ogniben, op. cit. pp. 21, 25, 30, 36, 55, 70, 72, 96, 101.

pared splendid garments for the adornment of the expected God—a purple mantle with a silver clasp costing thirty pounds of terzioli, gold-embroidered silks and gilt slippers—while Pietra de' Alzate contributed forty two dozen pearls, and Catella de' Giorgi gave an ounce of pearls. In preparation for her new and holy functions, Maifreda undertook to celebrate the mysteries of the mass. During the solemnities of Easter, in sacerdotal vestments, she consecrated the host, while Andrea in a dalmatic read the Gospel, and she administered communion to those present. When should come the resurrection of Guglielma, she was to repeat the ceremony in S. Maria Maggiore, and the sacred vessels were already prepared for this, on an extravagant scale, costing more than two hundred lire.*

The sums thus lavished show that the devotees belonged to the wealthy class. What is most noteworthy, in fact, in the whole story, is that a belief so absurd should have found acceptance among men of culture and intelligence, showing the spirit of unrest that was abroad, and the readiness to accept any promise, however wild, of relief from existing evils. There were few more prominent families in Milan than the Garbagnati, who were Ghibellines and closely allied with the Visconti. Gasparo Garbagnate filled many positions of importance, and though his name does not appear among the sectaries, his wife Benvenuta was one of them, as well as his two sons, Ottorino and Francesco, and Bella, the wife of Giacobbe. Francesco was a man of mark as a diplomat and a lawyer. Sent by Matteo Visconti in 1309 on a mission to the Emperor Henry VII., he won high favor at the imperial court and obtained the objects for which he had been despatched. He ended his career as a professor of jurisprudence in the renowned University of Padua. Yet this man, presumably learned and cool-headed, was an ardent disciple, who purchased gold-embroidered silks for the resurrection of Guglielma, and composed prayers in her honor. One of the crimes for which Matteo was condemned in 1323 by the Inquisition was retaining in his service this Francesco Garbagnate, who had been sentenced to wear crosses for his participation in the Guglielmite heresy; and when John XXII., in

* Ogniben, op. cit. pp. 17, 20, 22, 23, 30, 34, 37, 40, 42, 47, 54, 62, 72, 80, 90, 94, 96.

1324, confirmed the sentence, he added that Matteo had terrorized the inquisitors to save his son Galeazzo, who was also a Guglielmite.*

When the heresy became known popular rumor of course attributed to it the customary practices of indiscriminate sexual indulgence which were ascribed to all deviations from the faith. In the legend which was handed down by tradition there appears the same story as to its discovery which we have seen told at Cologne about the Brethren of the Free Spirit—of the husband tracking his wife to the nocturnal rendezvous, and thus learning the obscene practices of the sect. In this case the hero of the tale is Corrado Coppa, whose wife Giacobba was an earnest believer.† It is sufficient to say that the official reports of the trial, in so far as they have reached us, contain no allusions whatever to any licentious doctrines or practices. The inquisitors wasted no time on inquiries in that direction, showing that they knew there was nothing of the kind to reward investigation.

Numerically speaking, the sect was insignificant. It is mentioned that on one occasion, at a banquet in honor of Guglielma, given by the monks of Chiaravalle, there were one hundred and twenty-nine persons present, but these doubtless included many who only reverenced her as a saint. The inner circle of the initiated was apparently much smaller. The names of those inculpated in the confessions before the Inquisition amount only to about thirty, and it is fair to assume that the number of the sectaries at no time exceeded thirty-five or forty.‡

It is not to be supposed that this could go on for nearly twenty years and wholly escape the vigilance of the Milanese inquisitors. In 1284, but a few years after Guglielma's death, two of the disciples, Allegranza and Carabella, incautiously revealed the mysteries of their faith to Belfiore, mother of Frà Enrico di Nova, who at once conveyed it to the inquisitor, Frà Manfredo di Donavia. Andrea was forthwith summoned, with his wife Riccadona, his sister, Migliore, and his daughter, Fiordebellina; also Maifreda,

* Ogniben, op. cit. pp. 65–7, 83–4, 90–1, 110.—Ughelli, T. IV. pp. 286–93 (Ed. 1652).—Raynald. ann. 1324, No. 7–11.

† Philip. Bergomat. Supplem. Chron. ann. 1298.—Bern. Corio Hist. Milanes. ann. 1300.

‡ Ogniben, op. cit. pp. 1, 2, 34, 74, 110.—Tamburini, op. cit. II. 67–8.

Bellacara de' Carentani, Giacobba dei Bassani, and possibly some others. They readily abjured and were treated with exceptional mildness, for Frà Manfredo absolved them by striking them over the shoulders with a stick, as a symbol of the scourging which as penitents they had incurred. He seems to have attached little importance to the matter, and not to have compelled them to reveal their accomplices. Again, in 1295 and 1296, there was an investigation made by the Inquisitor Frà Tommaso di Como, of which no details have reached us, but which evidently left the leaders unharmed.*

We do not know what called the attention of the Inquisition to the sect in the spring of 1300, but we may conjecture that the expected resurrection of Guglielma at the coming Pentecost, and the preparations made for that event, caused an agitation among the disciples leading possibly to incautious revelations. About Easter (April 10) the inquisitors summoned and examined Maifreda, Giacobba dei Bassani, and possibly some others, but without result. Apparently, however, they were watched, secret information was gathered, and in July the Holy Office was ready to strike effectively. On July 18 a certain Frà Ghirardo presented himself to Lanfranco de' Amizzoni and revealed the whole affair, with the names of the principal disciples. Andrea sought him out and endeavored to learn what he had said, but was merely told to look to himself, for the inquisitors were making many threats. On the 20th Andrea was summoned; his assurances that he had never heard that Guglielma was regarded as more than an ordinary saint were apparently accepted, and he was dismissed with orders to return the next day and meanwhile to preserve absolute secrecy.†

Andrea and Maifreda were thoroughly frightened; they begged the disciples, if called before the inquisitors, to preserve silence with regard to them, as otherwise they could not escape death. It is a peculiar illustration of the recognized hostility between the two Mendicant Orders that the first impulse was to seek assistance from the Franciscans. No sooner were the citations issued than Andrea, with the Doctor Beltramo da Ferno, one of the ear-

* Ogniben, pp. 14, 23, 33, 36, 39, 60, 72, 101, 110, 114.
† Ibid. pp. 13, 30–33, 39.

nest believers, went to the Franciscan convent, where they learned from Frà Daniele da Ferno that Frà Guidone de Cocchenato and the rest of the inquisitors had no power to act, as their commissions had been annulled by the pope, and that Frà Pagano di Pietra Santa had a bull to that effect. Some intrigue would seem to be behind this, which it would be interesting to disentangle, for we meet here with old acquaintances. Frà Guidone is doubtless the same inquisitor whom we have seen in 1279 participating in the punishment of Corrado da Venosta, and Frà Pagano has come before us as the subject of a prosecution for heresy in 1295. Possibly it was this which now stimulated his zeal against the inquisitors, for when the Guglielmites called upon him the next day he produced the bull and urged them to appear, and thus afford him evidence that the inquisitors were discharging their functions—evidence for which he said that he would willingly give twenty-five lire. It is a striking proof of the impenetrable secrecy in which the operations of the Inquisition were veiled that he had been anxiously and vainly seeking to obtain testimony as to who were really discharging the duties of the tribunal; when, latterly, a heretic had been burned at Balsemo he had sent thither to find out who had rendered the sentence, but was unable to do so. Then the Guglielmites applied to the Abbot of Chiaravalle and to one of his monks, Marchisio di Veddano, himself suspected of Guglielmitism. These asked to have a copy of the bull, and one was duly made by a notary and given to them, which they took to the Archbishop of Milan at Cassano, and asked him to place the investigation of the matter in their hands. He promised to intervene, but if he did so he was probably met with the information, which had been speedily elicited from the culprits, that they held Boniface VIII. not to be pope, and consequently that the archbishop whom he had created was not archbishop. Either in this or in some other way the prelate's zeal was refrigerated, and he offered no opposition to the proceedings.*

* Ogniben, pp. 21, 40, 42, 78–9.

Dionese de' Novati deposed (p. 93) that Maifreda was in the habit of saying that Boniface was not truly pope, and that another pontiff had been created. We have seen that the Spiritual Franciscans had gone through the form of electing a new pope. There was not much in common between them and the Guglielmites, and yet this would point to some relations as existing.

The Inquisition was well manned, for, besides Frà Guidone, whose age and experience seem to have rendered him the leading actor in the tragedy, and Lanfranco, who took little part in it, we meet with a third inquisitor, Rainerio di Pirovano, and in their absence they are replaced with deputies, Niccolò di Como, Niccolò di Varenna, and Leonardo da Bergamo. They pushed the matter with relentless energy. That torture was freely used there can be no doubt. No conclusion to the contrary can be drawn from the absence of allusion to it in the depositions of the accused, for this is customary. Not only do the historians of the affair speak without reserve of its employment, but the character of the successive examinations of the leading culprits indicates it unerringly—the confident asseverations at first of ignorance and innocence, followed, after a greater or less interval, with unreserved confession. This is especially notable in the cases of those who had abjured in 1284, such as Andrea, Maifreda, and Giacobba, who, as relapsed, knew that by admitting their persistent heresy they were condemning themselves to the flames without hope of mercy, and who therefore had nothing to gain by confession, except exemption from repetition of torment.*

The documents are too imperfect for us to reconstruct the process and ascertain the fate of all of those implicated. In Languedoc, after all the evidence had been taken, there would have been an assembly held in which their sentences would have been determined, and at a solemn Sermo these would have been promulgated, and the stake would have received its victims. Much less formal were the proceedings at Milan. The only sentence of which we have a record was rendered August 23 in an assembly where the archbishop sat with the inquisitors and Matteo Visconti appears among the assessors; and in this the only judgment was on Suor Giacobba dei Bassani, who, as a relapsed, was necessarily handed over to the secular arm for burning. It would seem that

* Compare Andrea's first examination, July 29 (Ogniben, op. cit. pp. 8–13), and his second, Aug. 10 (pp. 56–7), with his defiant assertion of his belief, Aug. 13 (pp. 68–72). So, Maifreda's first interrogatory, July 31 (pp. 23–6), with her confession, Aug. 6, and revelation of the names of her worshippers (pp. 33–5). Also, Giacobba dei Bassani's denial, Aug. 3, and confession, Aug. 11 (p. 39). It is the same with those not relapsed. See Suor Agnese dei Montanari's flat denial, Aug. 3, and her confession, Aug. 11 (pp. 37–8).

even before this Ser Mirano di Garbagnate, a priest deeply implicated, had been burned. Andrea was executed probably between September 1 and 9, and Maifreda about the same time—but we know nothing about the date of the other executions, or of the exhumation and cremation of Guglielma's bones—while the examinations of other disciples continued until the middle of October. Another remarkable peculiarity is that for the minor penalties the inquisitors called in no experts and did not even consult the archbishop, but acted wholly at their own discretion, a single frate absolving or penancing each individual as he saw fit. The Lombard Inquisition apparently had little deference for the episcopate, even of the Ambrosian Church.*

Yet the action of the Inquisition was remarkable for its mildness, especially when we consider the revolutionary character of the heresy. The number of those absolutely burned cannot be definitely stated, but it probably did not exceed four or five. These were the survivors of those who had abjured in 1284, for whom, as relapsed and obstinate heretics, there could be no mercy The rest were allowed to escape with penalties remarkably light. Thus Sibilia Malcolzati had been one of the most zealous of the sect; in her early examinations she had resolutely perjured herself, and it had cost no little trouble to make her confess, yet when, on October 6, she appeared before Frà Rainerio and begged to be relieved from the excommunication which she had incurred, he was moved by her prayers and assented, on the ordinary conditions that she would stand to the orders of the Church and Inquisition, and perform the obligations laid upon her. Still more remarkable is the leniency with which two sisters, Catella and Pietra Oldegardi, were treated, for Frà Guidone absolved them on their abjuring their heresy, contenting himself with simply referring them to their confessors for the penance which they were to perform. The severest punishment recorded for any except the relapsed was the wearing of crosses, and these, imposed in September and October, were commuted in December for a fine of twenty-five lire, payable in February—showing that confiscation was not a part of the penalty. Even Taria, the expectant cardinal of the New Dispensation, was thus penanced and relieved. Im-

* Ogniben, pp. 19-20, 77, 91.

mediately after Andrea's execution an examination of his wife Riccadona, as to the furniture in her house and the wine in her cellar, shows that the Inquisition was prompt in looking after the confiscations of those condemned to death; and the fragment of an interrogatory, February 12, 1302, of Marchisio Secco, a monk of Chiaravalle, indicates that it was involved in a struggle with the abbey to compel the refunding of the bequest of Guglielma, as the heresy for which she had been condemned, of course, rendered void all dispositions of her property. How this resulted we have no means of knowing, but we may feel assured that the abbey was forced to submit; indeed, the complicity of the monks with the heretics was so clearly indicated that we may wonder none of their names appear in the lists of those condemned.*

Thus ended this little episode of heresy, of no importance in its origin or results, but curious from the glimpse which it affords into the spiritual aberrations of the time, and the procedure of the Lombard Inquisition, and noteworthy as a rare instance of inquisitorial clemency.†

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* Ogniben, pp. 42-4, 63, 67-8, 81-2, 91-2, 95-6, 97, 100, 110, 113, 115-16.

† Spiritual eccentricities, such as those of the Guglielmites, are not to be regarded as peculiar to any age or any condition of civilization. The story of Joanna Southcote is well known, and the Southcottian Church maintained its existence in London until the middle of the present century. In July, 1886, the American journals reported the discovery, in Cincinnati, of a sect even more closely approximating to the Guglielmites, and about as numerous, calling themselves Perfectionists, and believing in two married sisters—a Mrs. Martin as an incarnation of God, and a Mrs. Brooke as that of Christ. Like their predecessors in Milan the sect is by no means confined to the illiterate, but comprises people of intelligence and culture who have abandoned all worldly occupation in the expectation of the approaching Millennium—the final era of the Everlasting Gospel. The exposure for a time broke up the sect, of which some members departed, while others, with the two sisters, joined a Methodist church. Their faith was not shaken, however, and in June, 1887, the church expelled them after an investigation. One of the charges against them was that they held the Church of the present day to be Babylon and the abomination of the earth. England has also recently had a similar experience in a peasant woman of not particularly moral life who for some fifteen years, until her death, September 18, 1886, was regarded by her followers as a new incarnation of Christ. Her own definition of herself was, "I am the second appearing and incarnation of Jesus, the Christ of God, the Bride, the Lamb's Wife, the God-Mother and Saviour, Life from Heaven," etc., etc. She signed herself "Jesus, First and

About the time when Guglielma settled in Milan, Parma witnessed the commencement of another abnormal development of the great Franciscan movement. The stimulus which monachism had received from the success of the Mendicant Orders, the exaltation of poverty into the greatest of virtues, the recognition of beggary as the holiest mode of life, render it difficult to apportion between yearnings for spiritual perfection and the attractions of idleness and vagabondage in a temperate climate the responsibility for the numerous associations which arose in imitation of the Mendicants. The prohibition of unauthorized religious orders by the Lateran Council was found impossible of enforcement. Men would herd together with more or less of organization in caves and hermitages, in the streets of cities, and in abandoned dwellings and churches by the roadsides. The Carmelites and Augustinian hermits won recognition after a long struggle, and became established Orders, forming, with the Franciscans and Dominicans, the four Mendicant religions. Others, less reputable, or more independent in spirit, were condemned, and when they refused to disband they were treated as rebels and heretics. In the tension of the spiritual atmosphere, any man who would devise and put in practice a method of life assimilating him most nearly to the brutes would not fail to find admirers and followers; and, if he possessed capacity for command and organization, he could readily mould them into a confraternity and become an object of veneration, with an abundant supply of offerings from the pious.

The year 1260 was that in which, according to Abbot Joachim, the era of the Holy Ghost was to open. The spiritual excitement which pervaded the population was seen in the outbreak of the Flagellants, which filled northern Italy with processions of penitents scourging themselves, and in the mutual forgiveness of injuries, which brought an interval of peace to a distracted land. In such a condition of public feeling, gregarious enthusiasm is easily directed to whatever responds to the impulse of the moment, and

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Last, Mary Ann Girling." At one time her sect numbered a hundred and seventy-five members, some of them rich enough to make it considerable donations, but under the petty persecution of the populace it dwindled latterly to a few, and finally dispersed. Aberrations of this nature belong to no special stage of intellectual development. The only advance made in modern times is in the method of dealing with them.

the self-mortification of a youth of Parma, called Gherardo Segarelli, found abundant imitators. Of low extraction, uncultured and stupid, he had vainly applied for admission into the Franciscan Order. Denied this, he passed his days vacantly musing in the Franciscan church. The beatitude of ecstatic abstraction, carried to the point of the annihilation of consciousness, has not been confined to the Tapas and Samadhi of the Brahman and Buddhist. The monks of Mt. Athos, known as Umbilicani from their pious contemplation of their navels, knew it well, and Jacopone da Todi shows that its dangerous raptures were familiar to the zealots of the time.* Segarelli, however, was not so lost to external impressions but that he remarked in the scriptural pictures which adorned the walls the representations of the apostles in the habits which art has assigned to them. The conception grew upon him that the apostolic life and vestment would form the ideal religious existence, superior even to that of the Franciscans which had been denied to him. As a preliminary, he sold his little property; then, mounting the tribune in the Piazza, he scattered the proceeds among the idlers sunning themselves there, who forthwith gambled it away with ample floods of blasphemy. Imitating literally the career of Christ, he had himself circumcised; then, enveloped in swaddling clothes, he was rocked in a cradle and suckled by a woman. His apprenticeship thus completed, he embarked on the career of an apostle, letting hair and beard grow, enveloped in a white mantle, with the Franciscan cord around his waist, and sandals on his feet. Thus accoutred he wandered through the streets of Parma crying at intervals "*Penitenzagite*," which was his ignorant rendering of "*Penitentiam agite!*"—the customary call to repentance.†

For a while he had no imitators. In search of disciples he wandered to the neighboring village of Collechio, where, standing at the roadside, he shouted "Enter my vineyard!" The passers-by who knew his crazy ways paid no attention to him, but strangers took his call to be an invitation to help themselves from the

* "O glorioso stare
In nihil quietato!
Lo' intelletto posato
E l'affetto dormire!
Annichilarsi bene
Non è potere humano
Anzi è virtù divina!"

(Comba, La Riforma in Italia, I. 310.)

† Salimbene, pp. 112–13.

ripening grapes of an adjacent vineyard, which they accordingly stripped. At length he was joined by a certain Robert, a servant of the Franciscans, who, as Salimbene informs us, was a liar and a thief, too lazy to work, who flourished for a while in the sect as Frà Glutto, and who finally apostatized and married a female hermit. Gherardo and Glutto wandered through the streets of Parma in their white mantles and sandals, calling the people to repentance. They gathered associates, and the number rapidly grew to three hundred. They obtained a house in which to eat and sleep, and lacked for nothing, for alms came pouring in upon them more liberally than on the regular Mendicants. These latter wondered greatly, for the self-styled Apostles gave nothing in return—they could not preach, or hear confessions, or celebrate mass, and did not even pray for their benefactors. They were mostly ignorant peasants, swineherds and cowherds, attracted by an idle life which was rewarded with ample victuals and popular veneration. When gathered together in their assemblies they would gaze vacantly on Segarelli and repeat at intervals in honor of him, "Father! Father! Father!" *

When the Council of Lyons, in 1274, endeavored to control the pest of these unauthorized mendicant associations, it did not disperse them, but contented itself with prohibiting the reception of future members, in the expectation that they would thus gradually become extinguished. This was easily eluded by the Apostles, who, when a neophyte desired to join them, would lay before him a habit and say, "We do not dare to receive you, as this is prohibited to us, but it is not prohibited to you; do as you think fit." Thus, in spite of papal commands, the Order increased and multiplied, as we are told, beyond computation. In 1284 we hear of seventy-two postulants in a body passing through Modena and Reggio to Parma to be adopted by Segarelli, and a few days afterwards twelve young girls came on the same errand, wrapped in their mantles and styling themselves Apostolesses. Imitating Dominic and Francis, Segarelli sent his followers throughout Europe and beyond seas to evangelize the world. They penetrated far, for already in 1287 we find the Council of Würzburg stigmatizing the wandering Apostles as tramps, and forbidding any one

* Salimbene, pp. 114-16.

to give them food on account of their religious aspect and unusual dress. Pedro de Lugo (Galicia), who abjured before the Inquisition of Toulouse in 1322, testified that he had been inducted in the sect twenty years previous by Richard, an Apostle from Alessandria in Lombardy, who was busily spreading the heresy beyond Compostella.*

Notwithstanding the veneration felt by the brethren for Segarelli he steadily refused to assume the headship of the Order, saying that each must bear his own burden. Had he been an active organizer, with the material at his disposition, he might have given the Church much trouble, but he was inert and indisposed to abandon his contemplative self-indulgence. He seems to have hesitated somewhat as to the form which the association should assume, and consulted Alberto of Parma, one of the seven notaries of the curia, whether they should select a superior. Alberto referred him to the Cistercian Abbot of Fontanaviva, who advised that they should not found houses, but should continue to wander over the land wrapped in their mantles, and they would not fail of shelter by the charitable. Segarelli was nothing loath to follow his counsel, but a more energetic spirit was found in Guidone Putagi, brother of the Podestà of Bologna, who entered the Order with his sister Tripia. Finding that Segarelli would not govern, he seized command and for many years conducted affairs, but he gave offence by abandoning the poverty which was the essence of the association. He lived splendidly, we are told, with many horses, lavishing money like a cardinal or papal legate, till the brethren grew tired and elected Matteo of Ancona as his successor. This led to a split. Guidone retained possession of the person of Segarelli, and carried him to Faenza. Matteo's followers came there and endeavored to seize Segarelli by force; the two parties came to blows and the Anconitans were defeated. Guidone, however, was so much alarmed for his safety that he left the Apostles and joined the Templars.†

Bishop Opizo of Parma, a nephew of Innocent IV., had a liking

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* Concil. Lugdun. ann. 1274 c. 23.—Salimbene, pp. 117, 119, 329-30.—Concil. Herbipolens. ann. 1287 (Harduin. VII. 1141).—Lib. Sententt. Inq. Tolosan. p. 360.

† Salimbene, pp. 114-16.

for Segarelli, and for his sake protected the Apostles, which serves to account for their uninterrupted growth. In 1286, however, three of the brethren misbehaved flagrantly at Bologna, and were summarily hanged by the podestà. This seems to have drawn attention to the sectaries, for about the same time Honorius IV. issued a bull especially directed against them. They were commanded to abandon their peculiar vestments and enter some recognized order; prelates were required to enforce obedience by imprisonment, with recourse, if necessary, to the secular arm, and the faithful at large were ordered not to give them alms or hospitality. The Order was thus formally proscribed. Bishop Opizo hastened to obey. He banished the brethren from his diocese and imprisoned Segarelli in chains, but subsequently relenting kept him in his palace as a jester, for when filled with wine the Apostle could be amusing.*

For some years we hear little of Segarelli and his disciples. The papal condemnation discouraged them, but it received scant obedience. Their numbers may have diminished, and public charity may have been to some extent withdrawn, but they were still numerous, they continued to wear the white mantle, and to be supported in their wandering life. The best evidence that the bull of Honorius failed in its purpose is the fact that in 1291 Nicholas IV. deemed its reissue necessary. They were now in open antagonism to the Holy See—rebels and schismatics, rapidly ripening into heretics, and fair subjects of persecution. Accordingly, in 1494, we hear of four of them—two men and two women—burned at Parma, and of Segarelli's condemnation to perpetual imprisonment by Bishop Opizo. There is also an allusion to an earnest missionary of the sect, named Stephen, dangerous on account of the eloquence of his preaching, who was burned by the Inquisition. Segarelli had saved his life by abjuration; possibly after a few years he may have been released, but he did not abandon his errors; the Inquisitor of Parma, Frà Manfredo, convicted him as a relapsed heretic, and he was burned in Parma in 1300. An active persecution followed of his disciples. Many were apprehended by the Inquisition

* Salimbene, pp. 117, 371.—Mag. Bull. Rom. I. 158.—At the same time Honorius approved the Orders of the Carmelites and of St. William of the Desert (Raynald. ann. 1286, No. 86, 87).

and subjected to various punishments, until Parma congratulated itself that the heresy was fairly stamped out.*

Persecution, as usual, had the immediate effect of scattering the heretics, of confirming them in the faith, and of developing the heresy into a more decided antagonism towards the Church. Segarelli's disciples were not all ignorant peasants. In Tuscany a Franciscan of high reputation for sanctity and learning was in secret an active missionary, and endeavored even to win over Ubertino da Casale. Ubertino led him on and then betrayed him, and when we are told that he was forced to reveal his followers, we may assume that he was subjected to the customary inquisitorial processes. This points to relationship between the Apostles and the disaffected Franciscans, and the indication is strengthened by the anxiety of the Spirituals to disclaim all connection. The Apostles were deeply tinged with Joachitism, and the Spirituals endeavor to hide the fact by attributing their errors to Joachim's detested heretic imitator, the forgotten Amaury. The Conventuals, in fact, did not omit this damaging method of attack, and in the contest before Clement V. the Spirituals were obliged to disavow all connection with Dolcinism.†

We know nothing of any peculiar tenets taught by Segarelli. From his character it is not likely that he indulged in any recondite speculations, while the toleration which he enjoyed until near the end of his career probably prevented him from formulating any revolutionary doctrines. To wear the habit of the association, to live in absolute poverty, without labor and depending on daily charity, to take no thought of the morrow, to wander without a home, calling upon the people to repent, to preserve the strictest chastity, was the sum of his teaching, so far as we know, and this remained to the last the exterior observance of the Apostles. It was rigidly enforced. Even the austerity of the Franciscans allowed the friar two gowns, as a concession to health and comfort, but the Apostle could have but one, and if he desired it washed he

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* Mag. Bull. Rom. I. 158.—Chron. Parmens. ann. 1294 (Muratori S. R. I. IX. 826).—Hist. Tribulat. (Archiv für Litt.- u. Kirchengeschichte, 1886, p. 130).—Addit. ad Hist. Frat. Dulcini (Muratori IX. 450).

† Hist. Tribulat. (ubi sup.).—Ubertini Responsio (Archiv f. L. u. K. 1887, p. 51).

had to remain covered in bed until it was dried. Like the Waldenses and Cathari, the Apostles seem to have considered the use of the oath as unlawful. They were accused, as usual, of inculcating promiscuous intercourse, and this charge seemed substantiated by the mingling of the sexes in their wandering life, and by the crucial test of continence to which they habitually exposed themselves, in imitation of the early Christians, of lying together naked; but the statement of their errors drawn up by the inquisitors who knew them, for the instruction of their colleagues, shows that license formed no part of their creed, though it would not be safe to say that men and women of evil life may not have been attracted to join them by the idleness and freedom from care of their wandering existence.*

By the time of Gherardo's death, however, persecution had been sufficiently sharp and long-continued to drive the Apostles into denying the authority of the Holy See and formulating doctrines of pronounced hostility to the Church. An epistle written by Frà Dolcino, about a month after Segarelli's execution, shows that minds more powerful than that of the founder had been at work framing a body of principles suited to zealots chafing under the domination of a corrupt church, and eagerly yearning for a higher theory of life than it could furnish. Joachim had promised that the era of the Holy Ghost should open with the year 1260. That prophecy had been fulfilled by the appearance of Segarelli, whose mission had then commenced. Tacitly accepting this coincidence, Dolcino proceeds to describe four successive states of the Church. The first extends from the Creation to the time of Christ; the second from Christ to Silvester and Constantine, during which the Church was holy and poor; the third from Silvester to Segarelli, during which the Church declined, in spite of the reforms introduced by Benedict, Dominic, and Francis, until it had wholly lost

* Salimbene, pp. 113, 117, 121.—Lib. Sententt. Inq. Tolos. pp. 360-1.—Muratori S. R. I. IX. 455-7.—Bern. Guidon. Practica P. v.—Eymeric. P. II. Q. 11.

The test of continence was regarded with horror by the inquisitors, and yet when practised by St. Aldhelm it was considered as proof of supereminent sanctity (Girald. Cambrens. Gemm. Eccles. Dist. II. c. XV.). The coincidence, in fact, is remarkable between the perilous follies of the Apostles and those of the Christian zealots of the third century, as described and condemned by Cyprian (Epist. IV. ad Pompon.).

the charity of God. The fourth state was commenced by Segarelli, and will last till the Day of Judgment. Then follow prophecies which seem to be based on those of the Pseudo-Joachim's Commentaries on Jeremiah. The Church now is honored, rich, and wicked, and will so remain until all clerks, monks, and friars are cut off with a cruel death, which will happen within three years. Frederic, King of Trinacria, who had not yet made his peace with the Holy See, was regarded as the coming avenger, in consequence, doubtless, of his relations with the Spirituals and his tendencies in their favor. The epistle concludes with a mass of Apocalyptical prophecies respecting the approaching advent of Antichrist, the triumph of the saints, and the reign of holy poverty and love, which is to follow under a saintly pope. The seven angels of the churches are declared to be Benedict, of Ephesus; Silvester, of Pergamus; Francis, of Sardis; Dominic, of Laodicea; Segarelli, of Smyrna; Dolcino himself, of Thyatira; and the holy pope to come, of Philadelphia. Dolcino announces himself as the special envoy of God, sent to elucidate Scripture and the prophecies, while the clergy and the friars are the ministers of Satan, who persecute now, but who will shortly be consumed, when he and his followers, with those who join them, will prevail till the end.*

Segarelli had perished at the stake, July 18, and already in August here was a man assuming with easy assurance the dangerous position of heresiarch, proclaiming himself the mouthpiece of God, and promising his followers speedy triumph in reward for what they might endure under his leadership. Whether or not he believed his own prophecies, whether he was a wild fanatic or a skilful charlatan, can never be absolutely determined, but the balance of probability lies in his truthfulness. With all his gifts as a born leader of men, it is safe to assert that if he had not believed in his mission he could not have inspired his followers with the devotion which led them to stand by him through sufferings unendurable to ordinary human nature; while the cool sagacity which he displayed under the most pressing emergencies must

* Muratori IX. 449–53.—Guill. Nangiac. Contin. ann. 1306.—R. Fran. Pipini Chron. cap. xv. (Muratori, IX. 599).—Cf. Lib. Sententt. Inq. Tolos. p. 360.—Pelayo, Heterodoxos Españoles, I. 720.

have been inflamed by apocalyptic visions ere he could have embarked in an enterprise in which the means were so wholly inadequate to the end—ere he could have endeavored single-handed to overthrow the whole majestic structure of the theocratic church and organized feudalism. Dante recognized the greatness of Dolcino when he represents him as the only living man to whom Mahomet from the depths of hell deigns to send a message, as to a kindred spirit. The good Spiritual Franciscans, who endured endless persecution without resistance, could only explain his career by a revelation made to a servant of God beyond the seas, that he was possessed by a malignant angel named Furcio.*

The paternity of Dolcino is variously attributed to Giulio, a priest of Trontano in the Val d'Ossola, and to Giulio, a hermit of Prato in the Valsesia, near Novara. Brought as a child to Vercelli, he was bred in the church of St. Agnes by a priest named Agosto, who had him carefully trained. Gifted with a brilliant intellect, he soon became an excellent scholar, and, though small of stature, he was pleasant to look upon and won the affection of all. In after-times it was said that his eloquence and persuasiveness were such that no one who once listened to him could ever throw off the spell. His connection with Vercelli came to a sudden end. The priest lost a sum of money and suspected his servant Patras. The man took the boy and by torturing him forced him to confess the theft—rightly or wrongly. The priest interfered to prevent the matter from becoming public, but shame and terror caused Dolcino to depart in secret, and we lose sight of him until we hear of him in Trent, at the head of a band of Apostles. He had joined the sect in 1291; he must early have taken a prominent position in it, for he admitted in his final confession that he had thrice been in the hands of the Inquisition, and had thrice abjured. This he could do without forfeiting his position, for it was one of the principles of the sect, which greatly angered the inquisitors, that deceit was lawful when before the Inquisition; that

* Hist. Tribulat. (ubi sup.).

Or dì a Frà Dolcin dunque che s' armi,
Tu che forse vedrai il sole in breve,
S' egli non vuol quì tosto seguitarmi;
Sì di vivanda, che stretta di neve
Non rechi la vittoria al Noarese,
Ch' altrimenti acquistar non saria lieve.—INFERNO, XXVIII.

oaths could then be taken with the lips and not with the heart; but that if death could not be escaped, then it was to be endured cheerfully and patiently, without betraying accomplices.*

For three years after his epistle of August, 1300, we know nothing of Dolcino's movements, except that he is heard of in Milan, Brescia, Bergamo, and Como, but they were busy years of propagandism and organization. The time of promised liberation came and passed, and the Church was neither shattered nor amended. Yet the capture of Boniface VIII. at Anagni, in September, 1303, followed by his death, might well seem to be the beginning of the end, and the fulfilment of the prophecy. In December, 1303, therefore, Dolcino issued a second epistle, in which he announced as a revelation from God that the first year of the tribulations of the Church had begun in the fall of Boniface. In 1304 Frederic of Trinacria would become emperor, and would destroy the cardinals, with the new evil pope whom they had just elected; in 1305 he would carry desolation through the ranks of all prelates and ecclesiastics, whose wickedness was daily increasing. Until that time the faithful must lie hid to escape persecution, but then they would come forth, they would be joined by the Spirituals of the other orders, they would receive the grace of the Holy Ghost, and would form the new Church which would endure to the end. Meanwhile he announced himself as the ruler of the Apostolic Congregation, consisting of four thousand souls, living without external obedience, but in the obedience of the Spirit. About a hundred, of either sex, were organized in control of the brethren, and he had four principal lieutenants, Longino Cattaneo da Bergamo, Federigo da Novara, Alberto da Otranto, and Valderigo da Brescia. Superior to these was his dearly-loved sister in Christ, Margherita. Margherita di Trank is described to us as a woman of noble birth, considerable fortune, and surpassing beauty, who had been educated in the convent of St. Catharine at Trent. Dolcino had been the agent of the convent, and had thus made her acquaintance. Infatuated with him, she fled with him, and remained constant to the last. He always maintained that their relations

* Benvenuto da Imola (Muratori Antiq. III. 457–9).—Bescapè, La Novara Sacra, Novara, 1878, p. 157.—Baggiolini, Dolcino e i Patarini, Novara, 1838, pp. 35-6.—Hist. Dulcin. Hæresiarch. (Muratori, S. R. I. IX. 436–7).—Addit. ad Hist. (Ibid. 457, 460).

were purely spiritual, but this was naturally doubted, and the churchmen asserted that she bore him a child whose birth was represented to the faithful as the operation of the Holy Ghost.*

Although in this letter of December, 1303, Dolcino recognizes the necessity of concealment, perhaps the expected approaching fruition of his hopes may have encouraged him to relax his precautions. Returning in 1304 to the home of his youth with a few sectaries clad in the white tunics and sandals of the Order, he commenced making converts in the neighborhood of Gattinara and Serravalle, two villages of the Valsesia, a few leagues above Vercelli. The Inquisition was soon upon the track, and, failing to catch him, made the people of Serravalle pay dearly for the favor which they had shown him. Deep-seated discontent, both with the Church and their feudal lords, can alone explain the assistance which Dolcino received from the hardy population of the foot-hills of the Alps, when he was forced to raise openly the standard of revolt. A short distance above Serravalle, on the left bank of the Sesia, a stream fed by the glaciers of Monte Rosa, lay Borgo di Sesia, in the diocese of Novara. Thither a rich husbandman, much esteemed by his neighbors, named Milano Sola, invited Dolcino, and for several months he remained there undisturbed, making converts and receiving his disciples, whom he seems to have summoned from distant parts, as though resolved to make a stand and take advantage of the development of his apocalyptic prophecies. Preparations made to dislodge him, however, convinced him that safety was only to be found in the Alps, and under the guidance of Milano Sola the Apostles moved up towards the head-waters of the Sesia, and established themselves on a mountain crest, difficult of access, where they built huts. Thus passed the year 1304. Their numbers were not inconsiderable—some fourteen hundred of both sexes —inflamed with religious zeal, regarding Dolcino as a prophet whose lightest word was law. Thus contumaciously assembled in defiance of the summons of the Inquisition, they were in open rebellion

* Corio, Hist. Milanesi, ann. 1307.—Benv. da Imola, loc. cit.—Additamentum (Muratori IX. 454–55, 459).—Baggiolini, pp. 36–7.

Dolcino's two epistles were formally condemned by the Bishop of Parma and Frà Manfredo, the inquisitor, and must therefore have been circulated outside of the sect (Eymeric. Direct. Inq. P. II. Q. 29).

against the Church. The State also soon became their enemy, for as the year 1305 opened, their slender stock of provisions was exhausted and they replenished their stores by raids upon the lower valleys.*

The Church could not afford to brook this open defiance, to say nothing of the complaints of rapine and sacrilege which filled the land, yet it shows the dread which Dolcino already inspired that recourse was had to the pope, under whose auspices a formal crusade was preached, in order to raise a force deemed sufficient to exterminate the heretics. One of the early acts of Clement V. after his election, June 5, 1305, was to issue bulls for this purpose, and the next step was to hold an assembly, August 24, where a league was formed and an agreement signed pledging the assembled nobles to shed the last drop of their blood to destroy the Gazzari, who had been driven out of Sesia and Biandrate, but had not ceased to trouble the land. Armed with the papal commissions, Rainerio, Bishop of Vercelli, and the inquisitors raised a considerable force and advanced to the mountain refuge of the Apostles. Dolcino, seeing the futility of resistance, decamped by night and established his little community on an almost inaccessible mountain, and the crusaders, apparently thinking them dispersed, withdrew. Dolcino was now fairly at bay; the only hope of safety lay in resistance, and since the Church was resolved on war, he and his followers would at least sell their lives as dearly as they could. His new retreat was on the Parete Calvo—the Bare Wall—whose name sufficiently describes its character, a mountain overlooking the village of Campertogno. On this stronghold the Apostles fortified themselves and constructed such habitations as they could, and from it they ravaged the neighboring valleys for subsistence. The Podestà of Varallo assembled the men of the Valsesia to dislodge them, but Dolcino laid an ambush for him, attacked him with stones and such other weapons as the Apostles chanced to have, and took him prisoner with most of his men, obtaining ransoms which enabled the sectaries to support life for a while longer. Their depredations continued till all the land within striking distance was reduced to a desert, the churches despoiled, and the inhabitants driven off.†

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* Hist. Dulcin. (Muratori IX. 428–9).—Bescapè, loc. cit.

† Hist. Dulcin. (Muratori IX. 430–1).—Bescapè. loc. cit.

The winter of 1305–6 put to the test the endurance of the heretics on their bare mountain-top. As Lent came on they were reduced to eating mice and other vermin, and hay cooked in grease. The position became untenable, and on the night of March 10, compelled by stern necessity to abandon their weaker companions, they left the Parete Calvo, and, building paths which seemed impossible over high mountains and through deep snows, they established themselves on Monte Rubello, overlooking the village of Triverio, in the diocese of Vercelli. By this time, through want and exhaustion, their numbers were reduced to about a thousand, and the sole provisions which they brought with them were a few scraps of meat. With such secrecy and expedition had the move been executed that the first intimation that the people of Triverio had of the neighborhood of the dreaded heretics was a foray by night, in which their town was ravaged. We do not hear that any of the unresisting inhabitants were slain, but we are told that thirty-four of the Apostles were cut off in their retreat and put to death. The whole region was now alarmed, and the Bishop of Vercelli raised a second force of crusaders, who bravely advanced to Monte Rubello. Dolcino was rapidly learning the art of war; he made a sally from his stronghold, though again we learn that some of his combatants were armed only with stones, and the bishop's troops were beaten back with the loss of many prisoners who were exchanged for food.*

The heretic encampment was now organized for permanent occupation. Fortifications were thrown up, houses built, and a well dug. Thus rendered inexpugnable, the hunted Apostles were in safety from external attack, and on their Alpine crag, with all mankind for enemies, they calmly awaited in their isolation the fulfilment of Dolcino's prophecies. Their immediate danger was starvation. The mountain-tops furnished no food, and the remains of the episcopal army stationed at Mosso maintained a strict blockade. To relieve himself, early in May, Dolcino by a clever stratagem lured them to an attack, set upon them from an ambush, and dispersed them, capturing many prisoners, who, as before, were exchanged for provisions. The bishop's resources were exhausted. Again he appealed to Clement V., who graciously

* Hist. Dulcin. (Muratori IX. 430–2).

anathematized the heretics, and offered plenary indulgence to all who would serve in the army of the Lord for thirty days against them, or pay a recruit for such service. The papal letters were published far and wide, the Vercellese ardently supported their aged bishop, who personally accompanied the crusade; a large force was raised, neighboring heights were seized and machines erected which threw stones into the heretic encampment and demolished their huts. A desperate struggle took place for the possession of one commanding eminence, where mutual slaughter so deeply tinged the waters of the Riccio that its name became changed to that of Rio Carnaschio, and so strong was the impression made upon the popular mind that within the last century it would have fared ill with any sceptical traveller who should aver within hearing of a mountaineer of the district that its color was the same as that of the neighboring torrents.*

This third crusade was as fruitless as its predecessors. The assailants were repulsed and fell back to Mosso, Triverio, and Crevacore, while Dolcino, profiting by experience, fortified and garrisoned six of the neighboring heights, from which he harried the surrounding country and kept his people supplied with food. To restrain them the crusaders built two forts and maintained a heavy force within them, but to little purpose. Mosso, Triverio, Cassato, Flecchia, and other towns were burned, and the accounts of the wanton spoliation and desecration of the churches show how thoroughly antisacerdotal the sect had become. Driven to desperation, the ancient loving-kindness of their creed gave place to the cruelty which they learned from their assailants. To deprive them of resources it was forbidden to exchange food with them for prisoners, and their captives were mercilessly put to death. According to the contemporary inquisitor to whom we are indebted for these details, since the days of Adam there had never been a sect so execrable, so abominable, so horrible, or which in a time so short accomplished so much evil. The worst of it was that Dolcino infused into his followers his own unconquerable spirit. In male attire the women accompanied the men in their expeditions. Fanaticism rendered them invincible, and so great was the terror which they inspired that the faithful fled from the

* Hist. Dulcin (Muratori IX. 432-4.)—Baggiolini, p. 131.

faces of these dogs, of whom we are told a few would put to flight a host and utterly destroy them. The land was abandoned by the inhabitants, and in December, seized with a sudden panic, the crusaders evacuated one of the forts, and the garrison of the other, amounting to seven hundred men, was rescued with difficulty.*

Dolcino's fanaticism and military skill had thus triumphed in the field, but the fatal weakness of his position lay in his inability to support his followers. This was clearly apprehended by the Bishop of Vercelli, who built five new forts around the heretic position; and when we are told that all the roads and passes were strictly guarded so that no help should reach them, we may infer that, in spite of the devastation to which they had been driven, they still had friends among the population. This policy was successful. During the winter of 1306-7 the sufferings of the Apostles on their snowy mountain-top were frightful. Hunger and cold did their work. Many perished from exhaustion. Others barely maintained life on grass and leaves, when they were fortunate enough to find them. Cannibalism was resorted to; the bodies of their enemies who fell in successful sorties were devoured, and even those of their comrades who succumbed to starvation. The pious chronicler informs us that this misery was brought upon them by the prayers and vows of the good bishop and his flock.†

To this there could be but one ending, and even the fervid genius of Dolcino could not indefinitely postpone the inevitable. As the dreary Alpine winter drew to an end, towards the close of March, the bishop organized a fourth crusade. A large army was raised to deal with the gaunt and haggard survivors; hot fighting occurred during Passion Week, and on Holy Thursday (March 23, 1307) the last entrenchments were carried. The resistance had been stubborn, and again the Rio Carnaschio ran red with blood. No quarter was given. "On that day more than a thousand of the heretics perished in the flames, or in the river, or by the sword, in the cruellest of deaths. Thus they who made sport of God the Eternal Father and of the Catholic faith came, on the day of the Last Supper, through hunger, steel, fire, pestilence, and all wretchedness, to shame and disgraceful death, as they deserved."

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* Hist. Dulcin. (Muratori IX. 434,437–8).

† Hist. Dulcin. (Ib. 439–40).

Strict orders had been given by the bishop to capture alive Dolcino and his two chief subordinates, Margherita and Longino Cattaneo, and great were the rejoicings when they were brought to him on Saturday, at the castle of Biella.*

No case could be clearer than theirs, and yet the bishop deemed it necessary to consult Pope Clement—a perfectly superfluous ceremony, explicable perhaps, as Gallenga suggests, by the opportunity which it afforded of begging assistance for his ruined diocese and exhausted treasury. Clement's avarice responded in a niggardly fashion, though the extravagant pæan of triumph in which the pope hastened to announce the glad tidings to Philippe le Bel on the same evening in which he received them shows how deep was the anxiety caused by the audacious revolt of the handful of Dolcinists. The Bishops of Vercelli, Novara, and Pavia, and the Abbot of Lucedio were granted the first fruits of all benefices becoming vacant during the next three years in their respective territories, and the former, in addition, was exempted during life from the exactions of papal legates, with some other privileges. While awaiting this response the prisoners were kept, chained hand and foot and neck, in the dungeon of the Inquisition at Vercelli, with numerous guards posted to prevent a rescue, indicating a knowledge that there existed deep popular sympathy for the rebels against State and Church. The customary efforts were made to procure confession and abjuration, but while the prisoners boldly affirmed their faith they were deaf to all offers of reconciliation. Dolcino even persisted in his prophecies that Antichrist would appear in three years and a half, when he and his followers would be translated to Paradise; that after the death of Antichrist he would return to the earth to be the holy pope of the new church, when all the infidels would be converted. About two months passed away before Clement's orders were received, that they should be tried and punished at the scene of their crimes. The customary assembly of experts was convened in Vercelli; there could be no doubt as to their guilt, and they were abandoned to

* Hist. Dulcin. (Muratori IX. 439).

Ptolemy of Lucca, who is good contemporaneous authority, puts the number of those captured with Dolcino at one hundred and fifty, and of those who perished through exposure and by the sword at only about three hundred. —Hist. Eccles. Lib. XXIV. (Muratori XI. 1237).

the secular arm. For the superfluous cruelty which followed the Church was not responsible; it was the expression of the terror of the secular authorities, leading them to repress by an awful example the ever-present danger of a peasant revolt. On June 1, 1307, the prisoners were brought forth. Margherita's beauty moved all hearts to compassion, and this, coupled with the reports of her wealth, led many nobles to offer her marriage and pardon if she would abjure, but, constant to her faith and to Dolcino, she preferred the stake. She was slowly burned to death before his eyes, and then commenced his more prolonged torture. Mounted on a cart, provided with braziers to keep the instruments of torment heated, he was slowly driven along the roads through that long summer day and torn gradually to pieces with red-hot pincers. The marvellous constancy of the man was shown by his enduring it without rewarding his torturers with a single change of feature. Only when his nose was wrenched off was observed a slight shiver in the shoulders, and when a yet crueller pang was inflicted, a single sigh escaped him. While he was thus dying in lingering torture Longino Cattaneo, at Biella, was similarly utilized to afford a salutary warning to the people. Thus the enthusiasts expiated their dreams of the regeneration of mankind.*

Complete as was Dolcino's failure, his character and his fate left an ineffaceable impression on the population. The Parete Calvo, his first mountain refuge, was considered to be haunted by evil spirits, whom he had left to guard a treasure buried in a cave, and who excited such tempests when any one invaded their domain that the people of Triverio were forced to maintain guards to warn off persistent treasure-seekers. Still stronger was the

* Mariotti (A. Galenga), Frà Dolcino and his Times, London, 1853, pp. 287–88.—Regest. Clement. PP. V. T. II. pp. 79–82, 88 (Ed. Benedictina, Romæ, 1886). —Mosheims Ketzergeschichte I. 395.—Ughelli, Italia Sacra, Ed. 1652, IV. 1104–8.—Hist. Dulcin. (Moratori IX. 436, 440).—Benv. da Imola (Muratori Antiq. III. 460).—Bernard. Guidon. Vit. Clement. PP. V. (Muratori III. 1. 674).—Bescapè, loc. cit.

The punishment inflicted on Dolcino and Longino was not exceptional. By a Milanese statute of 1393 all secret attempts upon the life of any member of a family with whom the criminal lived were subject to a penalty precisely the same in all details, except that it ended by attaching the offender to a wheel and leaving him to perish in prolonged agony.—Antiqua Ducum Mediolani Decreta, p. 187 (Mediolani, 1654).

influence which he exerted upon his fastness on Monte Rubello. It became known as the Monte dei Gazzari, and to it, as to an accursed spot, priests grew into the habit of consigning demons whom they exorcised on account of hail-storms. The result of this was that the congregated spirits caused such fearful tempests that the neighboring lands were ruined, the harvests were yearly destroyed, and the people reduced to beggary. Finally, as a cure, the inhabitants of Triverio vowed to God and to St. Bernard that if they were relieved they would build on the top of the mountain a chapel to St. Bernard. This was done, and the mountain thus acquired its modern name of Monte San Bernardo. Every year on June 15, the feast of St. Bernard, one man from every hearth in the surrounding parishes marched with their priests in solemn procession, bearing crosses and banners, and celebrating solemn services, in the presence of crowds assembled to gain the pardons granted by the pope, and to share in a distribution of bread provided by a special levy made on the parishes of Triverio and Portola. This custom lasted till the French invasion under Napoleon. Renewed in 1815, it was discontinued on account of the disorders which attended it. Again resumed in 1839, it was accompanied with a hurricane which is still in the Valsesia attributed to the heresiarch, and even to the present day the mountaineers see on the mountain-crest a procession of Dolcinists during the night before its celebration. Dolcino's name is still remembered in the valleys as that of a great man who perished in the effort to free the populations from temporal and spiritual tyranny.*

Dolcino and his immediate band of followers were thus exterminated, but there remained the thousands of Apostles, scattered throughout the land, who cherished their belief in secret. Under the skilful hand of the Inquisition, the harmless eccentricities of Segarelli were hardened and converted into a strongly antisacerdotal heresy, antagonistic to Rome, precisely as we have seen the same result with the exaggerated asceticism of the Olivists. There was much in common between the sects, for both drew their inspiration from the Everlasting Gospel. Like the Olivists, the Apostles held that Christ had withdrawn his authority from the

* A. Artiaco (Rivista Cristiana, 1877, 145–51).—Hist. Dulcin. (Muratori IX. 441–2).—Baggiolini, pp. 165–71.

Church of Rome on account of its wickedness; it was the Whore of Babylon, and all spiritual power was transferred to the Spiritual Congregation, or Order of Apostles, as they styled themselves. As time passed on without the fulfilment of the apocalyptic promises, as Frederic of Trinacria did not develop into a deliverer, and as Antichrist delayed his appearance, they seem to have abandoned these hopes, or at least to have repressed their expression, but they continued to cherish the belief that they had attained spiritual perfection, releasing them from all obedience to man, and that there was no salvation outside of their community. Anti-sacerdotalism was thus developed to the fullest extent. There seems to have been no organization in the Order. Reception was performed by the simplest of ceremonies, either in church before the altar or in any other place. The postulant stripped himself of all his garments, in sign of renunciation of all property and of entering into the perfect state of evangelical poverty; he uttered no vows, but in his heart he promised to live henceforth in poverty. After this he was never to receive or carry money, but was to live on alms spontaneously offered to him, and was never to reserve anything for the morrow. He made no promise of obedience to mortal man, but only to God, to whom alone he was subject, as were the apostles to Christ. Thus all the externals of religion were brushed aside. Churches were useless; a man could better worship Christ in the woods, and prayer to God was as effective in a pigsty as in a consecrated building. Priests and prelates and monks were a detriment to the faith. Tithes should only be given to those whose voluntary poverty rendered it superfluous. Though the sacrament of penitence was not expressly abrogated, yet the power of the keys was virtually annulled by the principle that no pope could absolve for sin unless he were as holy as St. Peter, living in perfect poverty and humility, abstaining from war and persecution, and permitting every one to dwell in liberty; and, as all prelates, from the time of Silvester, had been seducers and prevaricators, excepting only Frà Pier di Morrone (Celestin V.), it followed that the indulgences and pardons so freely hawked around Christendom were worthless. One error they shared with the Waldenses—the prohibition of oaths, even in a court of justice.*

* Addit. ad Hist. Dulcin. (Muratori IX. 455-7).—Bern. Guidon. Pract. P. v.

The description which Bernard Gui gives of the Apostles, in order to guide his brother inquisitors in their detection, shows how fully they carried into practice the precepts of their simple creed. They wore a special habit, closely approaching a conventual garb — probably the white mantle and cord adopted by Segarelli. They presented all the exterior signs of saintliness. As they wandered along the roads and through the streets they sang hymns, or uttered prayers and exhortations to repentance. Whatever was spontaneously set before them they ate with thankfulness, and when appetite was satisfied they left what might remain and carried nothing with them. In their humble fashion they seem to have imitated the apostles as best they could, and to have carried poverty to a pitch which Angelo da Clarino himself might have envied. Bernard Gui, in addition, deplores their intractable obstinacy, and adduces a case in which he had kept one of them in prison for two years, subjecting him to frequent examination, before he was brought to confession and repentance — by what gentle persuasives we may readily guess.*

All this may seem to us the most harmless of heresies, and yet the impression produced by the exploits of Dolcino caused it to be regarded as one of the most formidable; and the earnestness of the sectaries in making converts was rendered dangerous by their drawing their chief arguments from the evil lives of the clergy. When the Brethren of the Free Spirit were condemned in the Clementines, Bernard Gui wrote earnestly to John XXII., urging that a clause should be inserted including the Apostles, whom he described as growing like weeds and spreading from Italy to Languedoc and Spain. This is probably one of the exaggerations customary in such matters, but about this time a Dolcinist named Jacopo da Querio was discovered and burned in Avignon. In 1316 Bernard Gui found others within his own district, when his energetic proceedings soon drove the poor wretches across the Pyrenees, and he addressed urgent letters to all the prelates of Spain, describing them and calling for their prompt extermination, which resulted, as mentioned in a former chapter, in the apprehension of five of the heretics at far-off Compostella, doubtless the remnants of the disciples of the Apostle Richard. Possibly

* Bernard. Guidon. Practica P. v.

this may have driven some of them back to France for safety, for in the *auto* of September, 1322, at Toulouse, there figures the Galician already referred to named Pedro de Lugo, who had been strenuously labored with for a year in prison, and on his abjuration was incarcerated for life on bread and water. In the same *auto* there was another culprit whose fate illustrates the horror and terror inspired by the doctrines of the Dolcinists. Guillem Ruffi had been previously forced to abjuration as a Beguine, and subsequently had betrayed two of his former associates, one of whom had been burned and the other imprisoned. This would seem to be sufficient proof of his zeal for orthodoxy, and yet, when he happened to state that in Italy there were Fraticelli who held that no one was perfect who could not endure the test of continence above alluded to, adding that he had tried the experiment himself with success, and had taught it to more than one woman, this was considered sufficient, and without anything further against him he was incontinently burned as a relapsed heretic.*

In spite of Bernard Gui's exaggerated apprehensions, the sect, although it continued to exist for some time, gave no further serious trouble. The Council of Cologne in 1306 and that of Trèves in 1310 allude to the Apostles, showing that they were not unknown in Germany. Yet about 1335 so well-informed a writer as Alvar Pelayo speaks of Dolcino as a Beghard, showing how soon the memory of the distinctive characteristics of the sect had faded away. At this very time, however, a certain Zoppio was secretly spreading the heresy at Rieti, where it seems to have found numerous converts, especially among the women. Attention being called to it, Frà Simone Filippi, inquisitor of the Roman province, hastened thither, seized Zoppio, and after examining him delivered him to the authorities for safe-keeping. When he desired to proceed with the trial the magistrates refused to surrender the prisoner, and abused the inquisitor. Benedict XII. was appealed to, who scolded roundly the recalcitrant officials for defending a heresy so horrible that decency forbids his describing it; he threat-

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* Addit. ad Hist. Dulcin. (Muratori IX. 458).—Bernard. Guidon. Practica P. v. —Bernard. Guidon. Gravam. (Doat, XXX. 120–4).—Raym. de Fronciacho (Archiv für Litt.- u. K. 1887, p. 10.—Lib. Sententt. Inq. Tolos. pp. 360–3, 381.

ened them with exemplary punishment for continued contumacy, and promised that, if they were afraid of damage to the reputation of their women, the latter should be mildly treated and spared humiliating penance on giving information as to their associates.*

After a long interval we hear of the Apostles again in Languedoc, where, in 1368, the Council of Lavaur calls attention to them as wandering through the land in spite of the condemnation of the Holy See, and disseminating errors under an appearance of external piety, wherefore they are ordered to be arrested and punished by the episcopal courts. In 1374 the Council of Narbonne deemed it necessary to repeat this injunction; and we have seen that in 1402 and 1403 the zeal of the Inquisitor Eylard was rewarded in Lubec and Wismar by the capture and burning of two Apostles. This is the last authentic record of a sect which a hundred years before had for a brief space inspired so wide a terror.†

Closely allied with the Dolcinists, and forming a link between them and the German Brethren of the Free Spirit, were some Italian heretics known as followers of the Spirit of Liberty, of whom a few scattered notices have reached us. They seem to have avoided the pantheism of the Germans, and did not teach the return of the soul to its Creator, but they adopted the dangerous tenet of the perfectibility of man, who in this life can become as holy as Christ. This can be accomplished by sins as well as by virtues, for both are the same in the eye of God, who directs all things and allows no human free-will. The soul is purified by sin, and the greater the pleasure in carnal indulgences the more nearly they represent God. There is no eternal punishment, but

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* Concil. Coloniens. ann. 1306 c. 1, 2 (Hartzheim IV. 100, 102).—Concil. Trevirens. ann. 1310 c. 50 (Martene Thesaur. IV. 250).—Alvar. Pelag. de Planctu Eccles. Lib. II. art. lii. (fol. 166, 172, Ed. 1517).—Wadding. ann. 1335, No. 8-9.—Raynald. ann. 1335, No. 62.

† Concil. Vaurens. ann. 1368 c. 24; Concil. Narbonn. ann. 1374 c. 5 (Harduin. VII. 1818, 1880).—Herman. Corneri Chron. ann. 1260, 1402 (Eccard. Corp. Hist. Med. Ævi II. 906, 1185).

I have already referred (Vol. II. p. 429) to the persecution at Prague, in 1315, of some heretics whom Dubravius qualifies as Dolcinists, but who probably were Waldenses and Luciferans.

souls not sufficiently purified in this life undergo purgation until admitted to heaven.*

We first hear of these sectaries as appearing among the Franciscans of Assisi, where, under active proceedings, seven of the friars confessed, abjured, and were sentenced to perpetual prison. When, in 1309, Clement V. sought to settle the points in dispute between the Spirituals and Conventuals, the first of the four preliminary questions which he put to the contending factions related to the connection between the Order and this heresy, of which both sides promptly sought to clear themselves. The next reference to them is in April, 1311, when they were said to be multiplying rapidly in Spoleto, among both ecclesiastics and laymen, and Clement sent thither Raimundo, Bishop of Cremona, to stamp out the new heresy. The effort was unavailing, for in 1327, at Florence, Donna Lapina, belonging to the sect "of the Spirit" whose members believed themselves impeccable, was condemned by Frà Accursio, the inquisitor, to confiscation and wearing crosses; and in 1329 Frà Bartolino da Perugia, in announcing a general inquisition to be made of the province of Assisi, enumerates the new heresy of the Spirit of Liberty among those which he proposes to suppress. More important was the case of Domenico Savi of Ascoli, who was regarded as a man of the most exemplary piety. In 1337 he abandoned wife and children for a hermit's life, and the bishop built for him a cell and oratory. This gave him still greater repute, and his influence was such that when he began to disseminate the doctrines of the Spirit of Liberty, which he undertook by means of circulating written tracts, the number of his followers is reckoned at ten thousand. It was not long before this attracted the attention of the Inquisition. He was tried, and recanted, while his writings were ordered to be burned. His convictions, however, were too strong to allow him to remain orthodox. He relapsed, was tried a second time, appealed to the pope, and was finally condemned by the Holy See in 1344, when he was handed over to the secular arm and burned at Ascoli. As nothing is said

* MS. Bibl. Casanatense A. IV. 49.—I owe the communication of this document to the kindness of M. Charles Molinier. See also Amati, Archivio Storico Italiano, No. 38, p. 14.

For the connection between these heretics and the Dolcinists, compare Archiv für Lit.- u. Kirchengeschichte, 1886, p. 131, with 1887, pp. 123-4.

about the fate of his disciples it may be assumed that they escaped by abjuration. He is usually classed with the Fraticelli, but the errors attributed to him bear no resemblance to those of that sect, and are evidently exaggerations of the doctrines of the Spirit of Liberty.*

Before dismissing the career of Dolcino, it may be worth while to cast a passing glance at that of a modern prophet which, like the cases of the modern Guglielmites, teaches us that such spiritual phenomena are common to all ages, and that even in our colder and more rationalistic time the mysteries of human nature are the same as in the thirteenth century.

Dolcino merely organized a movement which had been in progress for nearly half a century, and which was the expression of a widely diffused sentiment. David Lazzaretti of Arcidosso was both founder and martyr. A wagoner in the mountains of southern Tuscany, his herculean strength and ready speech made him widely known throughout his native region, when a somewhat wild and dissipated youth was suddenly converted into an ascetic of the severest type, dwelling in a hermitage on Monte Labbro, and honored with revelations from God. His austerities, his visions, and his prophecies soon brought him disciples, many of whom adopted his mode of life, and the peasants of Arcidosso revered him as a prophet. He claimed that, as early as 1848, he had been called to the task of regenerating the world, and that his sudden conversion was caused by a vision of St. Peter, who imprinted on his forehead a mark (O + C) in attestation of his mission. He was by no means consistent in his successive stages of development. A patriot volunteer in 1860, he subsequently upheld the cause of the Church against the assaults of heretic Germany, but in 1876 his book, "My Struggle with God," reveals his aspirations towards the headship of a new faith, and describes him as carried to heaven and discoursing with God, though he still professed himself faithful to Rome and to the papacy. The Church disdained his aid and condemned his errors, and he became a heresi-

* Archiv für Litt.- u. Kirchengeschichte, 1887, pp. 51, 144-5.—Raynald. ann. 1311, No. 66-70; ann. 1318, No. 44.—Archiv. di Firenze, Prov. S. Maria Novella, 1327, Ott. 31.—Franz Ehrle, Archiv für Lit.- u. Kirchengeschichte, 1885, p. 160. —D'Argentré I. i. 336-7.—Cantù, Eretici d'Italia, I. 133.

arch. In the spring of 1878 he urged the adoption of sacerdotal marriage, he disregarded fast-days, administered communion to his disciples in a rite of his own, and composed for them a creed of which the twenty-fourth article was, "I believe that our founder, David Lazzaretti, the anointed of the Lord, judged and condemned by the Roman curia, is really Christ, the leader and the judge." That the people accepted him is seen in the fact that for three successive Sundays the priest of Arcidosso found his church without a worshipper. David founded a "Society of the Holy League, or Christian Brotherhood," and proclaimed the coming Republic or Kingdom of God, when all property should be equally divided. Even this communism did not frighten off the small proprietors who constituted the greater portion of his following. There was general discontent, owing to a succession of unfortunate harvests and the increasing pressure of taxation, and when, on August 14, 1878, he announced that he would set out with his disciples peacefully to inaugurate his theocratic republic, the whole population gathered on Monte Labbro. After four days spent in religious exercises the extraordinary crusade set forth, consisting of all ages and both sexes, arrayed in a fantastic uniform of red and blue, and bearing banners and garlands of flowers with which to revolutionize society. Its triumphal march was short. At the village of Arcidosso its progress was disputed by a squad of nine carabineers, who poured volleys into the defenceless crowd. Thirty-four of the Lazzarettists fell, killed and wounded, and among them David himself, with a bullet in his brain.* Whether he was enthusiast or impostor may remain an open question. Travel and study had brought him training; he was no longer a rude moun-

* Barzellotti, David Lazzaretti di Arcidosso detto il Santo. Bologna, 1885.

Somewhat similar is the career of an ex-sergeant of the Italian army named Gabriele Donnici, who has founded in the Calabrian highlands a sect dignifying itself with the title of the Saints. Gabriele is a prophet announcing the advent of a new Messiah, who is to come not as a lamb, but as a lion breathing vengeance and armed with bloody scourges. He and his brother Abele were tried for the murder of the wife of the latter, Grazia Funaro, who refused to submit to the sexual abominations taught in the sect. They were condemned to hard labor and imprisonment, but were discharged on appeal to the Superior Court of Cosenza. Other misdeeds of the sectaries are at present occupying the attention of the Italian tribunals.—Rivista Cristiana, 1887, p. 57.

tain peasant, but could estimate the social forces against which he raised the standard of revolt, and could recognize that they were insuperable save to an envoy of God. Possibly on the slopes of Monte Amiata his memory may linger like that of Dolcino in the Valsesia; certain it is that many of his disciples long expected his resurrection.

CHAPTER III.

THE FRATICELLI.

We have seen how John XXII created and exterminated the heresy of the Spiritual Franciscans, and how Michele da Cesena enforced obedience within the Order as to the question of granaries and cellars and the wearing of short and narrow gowns. The settlement of the question, however, on so illogical a basis as this was impossible, especially in view of the restless theological dogmatism of the pope and his inflexible determination to crush all dissidence of opinion. Having once undertaken to silence the discussions over the rule of poverty which had caused so much trouble for nearly a century, his logical intellect led him to carry to their legitimate conclusions the principles involved in his bulls *Quorumdam*, *Sancta Romana*, and *Gloriosam Ecclesiam*, while his thorough worldliness rendered him incapable of anticipating the storm which he would provoke. A character such as his was unable to comprehend the honest inconsistency of men like Michele and Bonagrazia, who could burn their brethren for refusing to have granaries and cellars, and who, at the same time, were ready to endure the stake in vindication of the absolute poverty of Christ and the apostles, which had so long been a fundamental belief of the Order, and had been proclaimed as irrefragable truth in the bull *Exiit qui seminat*.

In fact, under a pope of the temperament of John, the orthodox Franciscans had a narrow and dangerous path to tread. The Spirituals were burned as heretics because they insisted on following their own conception of the Rule of Francis, and the distinction between this and the official recognition of the obligation of poverty was shadowy in the extreme. The Dominicans were not slow to recognize the dubious position of their rivals, nor averse to take advantage of it. If they could bring the received doctrines of the Franciscan Order within the definition of the new

heresy they would win a triumph that might prove permanent. The situation was so artificial and so untenable that a catastrophe was inevitable, and it might be precipitated by the veriest trifle.

In 1321, when the persecution of the Spirituals was at its height, the Dominican inquisitor, Jean de Beaune, whom we have seen as the colleague of Bernard Gui and the jailer of Bernard Délicieux, was engaged at Narbonne in the trial of one of the proscribed sect. To pass judgment he summoned an assembly of experts, among whom was the Franciscan Berenger Talon, teacher in the convent of Narbonne. One of the errors which he represented the culprit as entertaining was that Christ and the apostles, following the way of perfection, had held no possessions, individually or in common. As this was the universal Franciscan doctrine, we can only regard it as a challenge when he summoned Frère Berenger to give his opinion respecting it. Berenger thereupon replied that it was not heretical, having been defined as orthodox in the decretal *Exiit*, when the inquisitor hotly demanded that he should recant on the spot. The position was critical, and Berenger, to save himself from prosecution, interjected an appeal to the pope. He hastened to Avignon, but found that Jean de Beaune had been before him. He was arrested; the Dominicans everywhere took up the question, and the pope allowed it to be clearly seen that his sympathies were with them. Yet the subject was a dangerous one for disputants, as the bull *Exiit* had anathematized all who should attempt to gloss or discuss its decisions; and, as a preliminary to reopening the question, John was obliged, March 26, 1322, to issue a special bull, *Quia nonnunquam*, wherein he suspended, during his pleasure, the censures pronounced in *Exiit qui seminat*. Having thus intimated that the Church had erred in its former definition, he proceeded to lay before his prelates and doctors the significant question whether the pertinacious assertion that Christ and the apostles possessed nothing individually or in common was a heresy.*

The extravagances of the Spirituals had borne their fruit, and there was a reaction against the absurd laudation of poverty which had grown to be a fetich. This bore hard on those who had been

* Nicholaus Minorita (Baluz. et Mansi III. 207).—Chron. Glassberger ann. 1321.—Wadding, ann. 1321, No. 16–19; ann. 1322, No. 49–50.

conscientiously trained in the belief that the abnegation of property was the surest path to salvation; but the follies of the ascetics had become uncomfortable, if not dangerous, and it was necessary for the Church to go behind its teachings since the days of Antony and Hilarion and Simeon Stylites, to recur to the common-sense of the gospel, and to admit that, like the Sabbath, religion was made for man and not man for religion. In a work written some ten years after this time, Alvar Pelayo, papal penitentiary and himself a Franciscan, treats the subject at considerable length, and doubtless represents the views which found favor with John. The anchorite should be wholly dead to the world and should never leave his hermitage; memorable is the abbot who refused to open his door to his mother for fear his eye should rest upon her, and not less so the monk who, when his brother asked him to come a little way and help him with a foundered ox, replied, "Why dost thou not ask thy brother who is yet in the world?" "But he has been dead these fifteen years!" "And I have been dead to the world these twenty years!" Short of this complete renunciation, all men should earn their living by honest labor. In spite of the illustrious example of the sleepless monks of Dios, the apostolic command "Pray without ceasing" (Thessal. v. 17) is not to be taken literally. The apostles had money and bought food (John iv. 8), and Judas carried the purse of the Lord (John xii. 6). Better than a life of beggary is one blessed by honest labor, as a swineherd, a shepherd, a cowherd, a mason, a blacksmith, or a charcoal-burner, for a man is thus fulfilling the purpose of his creation. It is a sin for the able-bodied to live on charity, and thus usurp the alms due to the sick, the infirm, and the aged. All this is a lucid interval of common-sense, but what would Aquinas or Bonaventura have said to it, for it sounds like the echo of their great antagonist, William of Saint-Amour?*

* Alvar. Pelag. de Planctu Ecclesiæ Lib. i. Art. 51. fol. 165–9.

In fact, the advocates of poverty did not miss the easy opportunity of stigmatizing their antagonists as followers of William of Saint-Amour. See Tocco, "Un Codice della Marciana," Venezia, 1887, pp. 12, 39 (Ateneo Veneto, 1886–1887).

The MS. of which Professor Tocco has here printed the most important portions, with elucidatory notes, is a collection of the responses made to the question submitted for discussion by John XXII. as to the poverty of Christ and the

It was inevitable that the replies to the question submitted by John should be adverse to the poverty of Christ and the apostles. The bishops were universally assumed to be the representatives of the latter, and could not be expected to relish the assertion that their prototypes had been commanded by Christ to own no property. The Spirituals had made a point of this. Olivi had proved not only that Franciscans promoted to the episcopate were even more bound than their brethren to observe the Rule in all its strictures, but that bishops in general were under obligation to live in deeper poverty than the members of the most perfect Order. Now that there was a chance of justifying their worldliness and luxury, it was not likely to be lost. Yet John himself for a while held his own opinion suspended. In a debate before the consistory, Ubertino da Casale, the former leader of the orthodox Spirituals, was summoned to present the Franciscan view of the poverty of Christ, in answer to the Dominicans, and we are told that John was greatly pleased with his argument. Unluckily, at the General Chapter held at Perugia, May 30, 1322, the Franciscans appealed to Christendom at large by a definition addressed to all the faithful, in which they proved that the absolute poverty of Christ was the accepted doctrine of the Church, as set forth in the bulls *Exiit* and *Exivi de Paradiso*, and that John himself had approved of these in his bull *Quorumdam*. Another and more comprehensive utterance to the same effect received the signatures of all the Franciscan masters and bachelors of theology in France and England. With a disputant such as John this was an act of

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apostles. They are significant of the general reaction against the previously prevailing dogma, and of the eagerness with which, as soon as the free expression of opinion was safe, the prelates repudiated a doctrine condemnatory of the temporalities so industriously accumulated by all classes of ecclesiastics. There were but eight replies affirming the poverty of Christ, and these were all from Franciscans—the Cardinals of Albano and San Vitale, the Archbishop of Salerno, the Bishops of Caffa, Lisbon, Riga, and Badajoz, and an unknown master of the Order. On the other side there were fourteen cardinals, including even Napoleone Orsini, the protector of the Spirituals, and a large number of archbishops, bishops, abbots, and doctors of theology. It is doubtless true, however, that the fear of offending the pope was a factor in producing this virtual unanimity—a fear not unreasonable, as was shown by the disgrace and persecution of those who maintained the poverty of Christ.—(Tocco, *ubi sup.* p. 35).

more zeal than discretion. His passions were fairly aroused, and he proceeded to treat the Franciscans as antagonists. In December of the same year he dealt them a heavy blow in the bull *Ad conditorem*, wherein with remorseless logic he pointed out the fallacy of the device of Innocent IV. for eluding the provisions of the Rule by vesting the ownership of property in the Holy See and its use in the Friars. It had not made them less eager in acquisitiveness, while it had led them to a senseless pride in their own asserted superiority of poverty. He showed that use and consumption as conceded to them were tantamount to ownership, and that pretended ownership subject to such usufruct was illusory, while it was absurd to speak of Rome as owning an egg or a piece of cheese given to a friar to be consumed on the spot. Moreover, it was humiliating to the Roman Church to appear as plaintiff or defendant in the countless litigations in which the Order was involved, and the procurators who thus appeared in its name were said to abuse their position to the injury of many who were defrauded of their rights. For these reasons he annulled the provisions of Nicholas III., and declared that henceforth no ownership in the possessions of the Order should inhere in the Roman Church and no procurator act in its name.*

The blow was shrewdly dealt, for though the question of the poverty of Christ was not alluded to, the Order was deprived of its subterfuge, and was forced to admit practically that ownership of property was a necessary condition of its existence. Its members, however, had too long nursed the delusion to recognize its fallacy now, and in January, 1323, Bonagrazia, as procurator specially commissioned for the purpose, presented to the pope in full consistory a written protest against his action. If Bonagrazia had not arguments to adduce he had at least ample precedents to cite in the long line of popes since Gregory IX., including John himself. He wound up by audaciously appealing to the pope, to

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* Franz Ehrle, Archiv für Litt.- u. K. 1887, pp. 511–12.—Baluz et Mansi II. 279–80.—Nicholaus Minorita (Ibid. III. 308–13).

Curiously enough, in this John did exactly what his special antagonists, the Spirituals, had desired. Olivi had long before pointed out the scandal of an Order vowed to poverty litigating eagerly for property and using the transparent cover of papal procurators (Hist. Tribulat. ap. Archiv für Litt.- u. K. 1886, p. 298).

Holy Mother Church, and to the apostles, and though he concluded by submitting himself to the decisions of the Church, he could not escape the wrath which he had provoked. It was not many years since Clement V. had confined him for resisting too bitterly the extravagance of the Spirituals: he still consistently occupied the same position, and now John cast him into a foul and dismal dungeon because he had not moved with the world, while the only answer to his protest was taking down from the Church doors the bull *Ad conditorem* and replacing it with a revised edition, more decided and argumentative than its predecessor.*

All this did not conduce to a favorable decision of the question as to the poverty of Christ. John was now fairly enlisted against the Franciscans, and their enemies lost no opportunity of inflaming his passions. He would listen to no defence of the decision of the Chapter of Perugia. In consistory a Franciscan cardinal and some bishops timidly ventured to suggest that possibly there might be some truth in it, when he angrily silenced them—"You are talking heresy"—and forced them to recant on the spot. When he heard that the greatest Franciscan schoolman of the day, William of Ockham, had preached that it was heretical to affirm that Christ and the apostles owned property, he promptly wrote to the Bishops of Bologna and Ferrara to investigate the truth of the report, and if it was correct to cite Ockham to appear before him at Avignon within a month. Ockham obeyed, and we shall hereafter see what came of it.†

The papal decision on the momentous question was at last put forth, November 12, 1323, in the bull *Cum inter nonnullos.* In this there was no wavering or hesitation. The assertion that Christ and the apostles possessed no property was flatly declared to be a perversion of Scripture; it was denounced for the future as erroneous and heretical, and its obstinate assertion by the Franciscan chapter was formally condemned. To the believers in the supereminent holiness of poverty, it was stunning to find themselves cast out as heretics for holding a doctrine which for generations had passed as an incontrovertible truth, and had repeatedly received the sanction of the Holy See in its most solemn form

* Nicholaus Minorita (Bal. et Mansi III. 213–24).

† Wadding. ann. 1323, No. 3, 15.

of ratification. Yet there was no help for it, and unless they were prepared to shift their belief with the pope, they could only expect to be delivered in this world to the Inquisition and in the next to Satan.*

Suddenly there appeared a new factor in the quarrel, which speedily gave it importance as a political question of the first magnitude. The sempiternal antagonism between the papacy and the empire had been recently assuming a more virulent aspect than usual under the imperious management of John XXII. Henry VII. had died in 1313, and in October, 1314, there had been a disputed election. Louis of Bavaria and Frederic of Austria both claimed the kaisership. Since Leo III., in the year 800, had renewed the line of Roman emperors by crowning Charlemagne, the ministration of the pope in an imperial coronation had been held essential, and had gradually enabled the Holy See to put forward undefined claims of a right to confirm the vote of the German electors. For the enforcement of such claims a disputed election gave abundant opportunity, nor were there lacking other elements to complicate the position. The Angevine papalist King of Naples, Robert the Good, had dreams of founding a great Italian Guelf monarchy, to which John XXII. lent a not unfavorable ear; especially as his quarrel with the Ghibelline Visconti of Lombardy was becoming unappeasable. The traditional enmity between France and Germany, moreover, rendered the former eager in everything that could cripple the empire, and French influence was necessarily dominant in Avignon. It would be foreign to our purpose to penetrate into the labyrinth of diplomatic intrigue which speedily formed itself around these momentous questions. An alliance between Robert and Frederic, with the assent of the pope, seemed to give the latter assurance of recognition, when the battle of Mühldorf, September 28, 1322, decided the question. Frederic was a prisoner in the hands of his rival, and there could be no further doubt as to which of them should reign in Germany. It did not follow, however, that John would consent to place the imperial crown on the head of Louis.†

* Nicholaus Minorita (Bal. et Mansi III. 224).

† Carl Müller, Der Kampf Ludwigs des Baiern mit der römischen Curie, § 4.—Felten, Die Bulle *Ne pretereat*, Trier, 1885.—Preger, Die Politik des Pabstes Johann XXII., München, 1885, pp. 44–6.

So far was he from contemplating any such action that he still insisted on deciding between the claims of the competitors. Louis contemptuously left his pretensions unanswered and proceeded to settle matters by concluding a treaty with his prisoner and setting him free. Moreover, he intervened effectually in the affairs of Lombardy, rescued the Visconti from the Guelf league which was about to overwhelm them, and ruined the plans of the cardinal legate, Bertrand de Poyet, John's nephew or son, who was carving out a principality for himself. It would have required less than this to awaken the implacable hostility of such a man as John, whose only hope for the success of his Italian policy now lay in dethroning Louis and replacing him with the French king, Charles le Bel. He rushed precipitately to the conflict and proclaimed no quarter. October 8, 1323, in the presence of a vast multitude, a bull was read and affixed to the portal of the cathedral of Avignon, which declared not only that no one could act as King of the Romans until his person had been approved by the pope, but repeated a claim, already made in 1317, that until such approval the empire was vacant, and its government during the interregnum belonged to the Holy See. All of Louis's acts were pronounced null and void; he was summoned within three months to lay down his power and submit his person to the pope for approval, under pain of the punishments which he had incurred by his rebellious pretence of being emperor; all oaths of allegiance taken to him were declared annulled; all prelates were threatened with suspension, and all cities and states with excommunication and interdict if they should continue to obey him. Louis at first received this portentous missive with singular humility. November 12 he sent to Avignon envoys, who did not arrive until January 2, 1324, to ask whether the reports which he had heard of the papal action were true, and if so to request a delay of six months in which to prove his innocence. To this John, on January 7, gave answer extending the term only two months from that day. Meanwhile Louis had taken heart, possibly encouraged by the outbreak of the quarrel between John and the Franciscans, for the date of the credentials of the envoys, November 12, was the same as that of the bull *Cum inter nonnullos*. On December 18, he issued the Nuremberg Protest, a spirited vindication of the rights of the German nation and empire against the new preten-

sions of the papacy; he demanded the assembling of a general council before which he would make good his claims; it was his duty, as the head of the empire, to maintain the purity of the faith against a pope who was a fautor of heretics. It shows how little he yet understood about the questions at issue that to sustain this last charge he accused John of unduly protecting the Franciscans against universal complaints that they habitually violated the secrecy of the confessional, this being apparently his version of the papal condemnation of John of Poilly's thesis that confession to a Mendicant friar was insufficient.*

If Louis at first thought to gain strength by thus utilizing the jealousy and dislike felt by the secular clergy towards the Mendicants, he soon realized that a surer source of support was to be found in espousing the side of the Franciscans in the quarrel forced upon them by John. The two months' delay granted by John expired March 7 without Louis making an appearance, and on March 25 the pope promulgated against him a sentence of excommunication, with a threat that he should be deprived of all rights if he did not submit within three months. To this Louis speedily rejoined in a document known as the Protest of Sachsenhausen, which shows that since December he had put himself in communication with the disaffected Franciscans, had entered into alliance with them, and had recognized how great was the advantage of posing as the defender of the faith and assailing the pope with the charge of heresy. After paying due attention to John's assaults on the rights of the empire, the Protest takes up the question of his recent bulls respecting poverty and argues them in much detail. John had declared before Franciscans of high standing that for forty years he had regarded the Rule of Francis as fantastic and impossible. As the Rule was revealed by Christ, this alone proves him to be a heretic. Moreover, as the Church is infallible in its definitions of faith, and as it has repeatedly, through Honorius III., Innocent IV., Alexander IV., Innocent V., Nicholas III., and Nicholas IV., pronounced in favor of the poverty of Christ and the apostles, John's condemnation of this tenet abundantly shows him

* Carl Müller, op. cit. § 5.—Preger, Politik des Pabstes Johann XXII. (München, 1885, pp. 7, 54). — Martene Thesaur. II. 644–51. — Raynald. ann. 1323, No. 34–5.

to be a heretic. His two constitutions, *Ad conditorem* and *Cum inter nonnullos*, therefore, have cut him off from the Church as a manifest heretic teaching a condemned heresy, and have disabled him from the papacy; all of which Louis swore to prove before a general council to be assembled in some place of safety.*

John proceeded with his prosecution of Louis by a further declaration, issued July 11, in which, without deigning to notice the Protest of Sachsenhausen, he pronounced Louis to have forfeited by his contumacy all claim to the empire; further obstinacy would deprive him of his ancestral dukedom of Bavaria and other possessions, and he was summoned to appear October 1, to receive final sentence. Yet John could not leave unanswered the assault upon his doctrinal position, and on November 10 he issued the bull *Quia quorumdam*, in which he argued that he had exercised no undue power in contradicting the decisions of his predecessors: he declared it a condemned heresy to assert that Christ and the apostles had only simple usufruct, without legal possession, in the things which Scripture declared them to have possessed, for if this were true it would follow that Christ was unjust, which is blasphemy. All who utter, write, or teach such doctrines fall into condemned heresy, and are to be avoided as heretics.†

Thus the poverty of Christ was fairly launched upon the world as a European question. It is a significant illustration of the intellectual condition of the fourteenth century that in the subsequent

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* Martene Thesaur. II. 652–9.—Nich. Minorita (Bal. et Mansi III. 224–33).

The date of the Protest of Sachsenhausen is not positively known, but it was probably issued in April or May, 1324 (Müller, op. cit. I. 357–8). Its authorship is ascribed by Preger to Franz von Lautern, and Ehrle has shown that much of its argumentation is copied literally from the writings of Olivi (Archiv für Litt.. u. Kirchengeschichte, 1887, 540). When there were negotiations for a settlement in 1336, Louis signed a declaration prepared by Benedict XII., in which he was made to say that the portions concerning the poverty of Christ were inserted without his knowledge by his notary, Ulric der Wilde for the purpose of injuring him (Raynald ann. 1336, No. 31–5); but he accompanied this self-abasing statement with secret instructions of a very different character (Preger, Kirchenpolitische Kampf, p. 12).

† Martene Thesaur. II. 660–71.—Nich. Minorita (Bal. et Mansi III. 233–6).

Even in far-off Ireland the bull of July 11, depriving Louis of the empire, was read in all the churches in English and Irish.—Theiner, Monument. Hibern. et Scotor. No. 456, p. 230.

stages of the quarrel between the papacy and the empire, involving the most momentous principles of public law, those principles, in the manifestoes of either side, assume quite a subordinate position. The shrewd and able men who conducted the controversy evidently felt that public opinion was much more readily influenced by accusations of heresy, even upon a point so trivial and unsubstantial, than by appeals to reason upon the conflicting jurisdictions of Church and State.* Yet, as the quarrel widened and deepened, and as the stronger intellects antagonistic to papal pretensions gathered around Lonis, they were able, in unwonted liberty of thought and speech, to investigate the theory of government and the claims of the papacy with unheard-of boldness. Unquestionably they aided Louis in his struggle, but the spirit of the age was against them. Spiritual authority was still too awful for successful rebellion, and when Louis passed away affairs returned to the old routine, and the labors of the men who had waged his battle in the hope of elevating humanity disappeared, leaving but a doubtful trace upon the modes of thought of the time.

The most audacious of these champions was Marsiglio of Padua. Interpenetrated with the principles of the imperial jurisprudence, in which the State was supreme and the Church wholly subordinated, he had seen in France how the influence of the Roman law was emancipating the civil power from servitude, and perhaps in the University of Paris had heard the echoes of the theories of Henry of Ghent, the celebrated Doctor Solemnis, who had taught the sovereignty of the people over their princes. He framed a conception of a political organization which should reproduce that of Rome under the Christian emperors, with a recognition of the people as the ultimate source of all civil authority. Aided by Jean de Jandun he developed these ideas with great hardihood and skill in his "*Defensor Pacis*," and in 1326, when the strife between John and Louis was at its hottest, the two authors left Paris to lay the result of their labors before the emperor. In a brief tract, moreover, "*De translatione imperii*," Marsiglio subse-

* See the documents in the second prosecution of Louis by John, where the accusations against him constantly commence with his pertinacious heresy in maintaining the condemned doctrine of the poverty of Christ.—Martene Thesaur. II. 682 sqq. Cf. Guill. Nangiac. Contin. ann. 1328.

quently sketched the manner in which the Holy Roman Empire had arisen, showing the ancient subjection of the Holy See to the imperial power, and the baselessness of the papal claims to confirm the election of the emperors. John XXII. had no hesitation in condemning the daring authors as heretics, and the protection which Louis afforded them added another count to the indictment against him for heresy. Unable to wreak vengeance upon them, all who could be supposed to be their accomplices were sternly dealt with. A certain Francesco of Venice, who had been a student with Marsiglio at Paris, was seized and carried to Avignon on a charge of having aided in the preparation of the wicked book, and of having supplied the heresiarch with money. Tried before the Apostolic Chamber, he stoutly maintained that he was ignorant of the contents of the "*Defensor Pacis*," that he had deposited money with Marsiglio, as was customary with scholars, and that Marsiglio had left Paris owing him thirteen sols parisis. Jean de Jandun died in 1328, and Marsiglio not later than 1343, thus mercifully spared the disappointment of the failure of their theories. In so far as purely intellectual conceptions had weight in the conflict they were powerful allies for Louis. In the "*Defensor Pacis*" the power of the keys is argued away in the clearest dialectics. God alone has power to judge, to absolve, to condemn. The pope is no more than any other priest, and a priestly sentence may be the result of hatred, favor, or injustice, of no weight with God. Excommunication, to be effective, must not proceed from the judgment of a single priest, but must be the sentence of the whole community, with full knowledge of all the facts. It is no wonder that when, in 1376, a French translation of the work appeared in Paris it created a profound sensation. A prolonged inquest was held, lasting from September to December, in which all the learned men in the city were made to swear before a notary as to their ignorance of the translator.*

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* Altmayer, Les Précurseurs de la Réforme aux Pays-Bas, Bruxelles, 1886, I. 38. — Guillel. Nangiac. Contin. ann. 1326. — Fasciculus Rer. Expetendarum et Fugiend. II. 55, Ed. 1690. — D'Argentré, I. i. 304–11, 397–400. — Baluz. et Mansi II. 280–1. — Martene Thesaur. II. 704–16. — Preger, Kirchenpolitische Kampf, pp. 34, 35. — Defensor. Pacis II. 6.

The manner in which Fritsche Closener, a contemporary priest of Strassburg, speaks of the *Defensor Pacis* shows what an impression it made, and that even

More vehement and more fluent as a controversialist was the great schoolman, William of Ockham. When the final breach came between the papacy and the rigid Franciscans he was already under inquisitorial trial for his utterances. Escaping from Avignon with his general, Michele, he found refuge, like the rest, with Louis, whose cause he strengthened by skilfully linking the question of Christ's poverty with that of German independence. Those who refused to accept a papal definition on a point of faith could only justify themselves by proving that popes were fallible and their power not unlimited. Thus the strife over the narrow Franciscan dogmatism on poverty broadened until it embraced the great questions which had disturbed the peace of Europe since the time of Hildebrand, nearly three centuries before. In 1324 Ockham boasted that he had set his face like flint against the errors of the pseudo-pope, and that so long as he possessed hand, paper, pens, aud ink, no abuse or lies or persecution or persuasion would induce him to desist from attacking them. He kept his promise literally, and for twenty years he poured forth a series of controversial works in defence of the cause to which he had devoted his life. Without embracing the radical doctrines of Marsiglio on the popular foundation of political institutions, he practically reached the same outcome. While admitting the primacy of the pope, he argued that a pope can fall into heresy, and so, indeed, can a general council, and even all Christendom. The influence of the Holy Ghost did not deprive man of free-will and prevent him from succumbing to error, no matter what might be his station. There was nothing sure but Scripture; the poorest and meanest peasant might adhere to Catholic truth revealed to him by God, while popes and councils erred. Above the pope is the general council representing the whole Church. A pope refusing to entertain an appeal to a general council, declining to assemble it, or arrogating its authority to himself is a manifest heretic, whom it is the duty of the bishops to depose, or, if the bishops refuse, then that of the emperor, who is supreme over the earth. But it was not only by the enunciation of general princi-

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a portion of the clergy was not averse to its conclusions.—Closeners Chronik (Chroniken der deutschen Städte VIII. 70.—Cf. Chron. des Jacob von Königshofen, Ib. p. 473).

ples that he carried on the war; merciless were his assaults on the errors and inconsistencies of John XXII., who was proved guilty of seventy specific heresies. Thus to the bitter end his dauntless spirit kept up the strife; one by one his colleagues died and submitted, and he was left alone, but he continued to shower ridicule on the curia and its creatures in his matchless dialectics. Even the death of Louis and the hopeless defeat of his cause did not stop his fearless pen. Church historians claim that in 1349 he at last made his peace and was reconciled, but this is more than doubtful, for Giacomo della Marca classes him with Michele and Bonagrazia as the three unrepentant heretics who died under excommunication. It is not easy to determine with accuracy what influence was exercised by the powerful intellects which England, France, and Italy thus contributed to the defence of German independence. Possibly they may have stimulated Wickliff to question the foundation of papal power and the supremacy of the Church over the State, leading to Hussite insubordination. Possibly, too, they may have contributed to the movement which in various development emboldened the Councils of Constance and Basle to claim superiority over the Holy See, the Gallican Church to assert its liberties, and England to frame the hostile legislation of the Statutes of Provisors and Præmunire. If this be so, the hopeless entanglements of German politics caused them to effect less in their own chosen battle-field than in lands far removed from the immediate scene of conflict.*

This rapid glance at the larger aspects of the strife has been necessary to enable us to follow intelligently the vicissitudes of the discussion over the poverty of Christ, which occupied in the struggle a position ludicrously disproportionate to its importance. For some time after the issue of the bulls *Cum inter nonnullos* and *Quia quorumdam* there was a sort of armed neutrality between John and the heads of the Franciscan Order. Each seemed to be afraid of taking a step which should precipitate a conflict, doubt-

* Martene Thesaur. II. 749–52.—Tocco, L'Eresia nel Medio Evo, pp. 532–555.—Preger, Der Kirchenpolitische Kampf, pp. 8–9.—Carl Müller, op. cit. II. 251–2.—Trithem. Chron. Hirsaug. ann. 1323.—Raynald. ann. 1349, No. 16–17.—Jac. de Marchia Dial. (Bal. et Mansi II. 600).

less secretly felt by both sides to be inevitable. Still there was a little skirmishing for position. In 1325 Michele had summoned the general chapter to assemble at Paris, but he feared that an effort would be made to annul the declarations of Perugia, and that John would exercise a pressure by means of King Charles le Bel, whose influence was great through the number of benefices at his disposal. Suddenly, therefore, he transferred the call to Lyons, where considerable trouble was experienced through the efforts of Gerard Odo, a creature of the pope, and subsequently the successor of Michele, to obtain relaxations of the Rule as regarded poverty. Still the brethren stood firm, and these attempts were defeated, while a constitution threatening with imprisonment all who should speak indiscreetly and disrespectfully of John XXII. and his decretals indicates the passions which were seething under the surface. Not long after this we hear of a prosecution suddenly commenced against our old acquaintance Ubertino da Casale, in spite of his Benedictine habit and his quiet residence in Italy. He seems to have been suspected of having furnished the arguments on the subject of the poverty of Christ in the Protest of Sachsenhausen, and, September 16, 1325, an order was sent for his arrest, but he got wind of it and escaped to Germany—the first of the illustrious band of refugees who gathered around Louis of Bavaria, though he appears to have made his peace in 1330. John seems to have at last grown restive at the tacit insubordination of the Franciscans, who did not openly deny his definitions as to the poverty of Christ, but whom he knew to be secretly cherishing in their hearts the condemned doctrine. In 1326 Michele issued decrees subjecting to a strict censorship all writings by the brethren and enforcing one of the rules which prohibited the discussion of doubtful opinions, thus muzzling the Order in the hope of averting dissension; but it was not in John's nature to rest satisfied with silence which covered opposition, and in August, 1327, he advanced to the attack. In the bull *Quia nonnunquam*, addressed to archbishops and inquisitors, he declared that many still believed in the poverty of Christ in spite of his having pronounced such belief a heresy, and that those who entertained it should be treated as heretics. He therefore now orders the prelates and inquisitors to prosecute them vigorously, and though the Franciscans are not specially named, the clause which deprives the accused of all papal

privileges and subjects them to the ordinary jurisdictions sufficiently shows that they were the object of the assault. It is quite possible that this was provoked by some movement among the remains of the moderate Spirituals of Italy—men who came to be known as Fraticelli—who had never indulged in the dangerous enthusiasms of the Olivists, but who were ready to suffer martyrdom in defence of the sacred principles of poverty. Such men could not but have been at once excited by the papal denial of Christ's poverty, and encouraged by finding the Order at large driven into antagonism with the Holy See. Sicily had long been a refuge for the more zealous when forced to flee from Italy. At this time we hear of their crossing back to Calabria, and of John writing to Niccolò da Reggio, the Minister of Calabria, savage instructions to destroy them utterly. Lists are to be made out and sent to him of all who show them favor, and King Robert is appealed to for aid in the good work. Robert, in spite of his close alliance with the pope, and the necessity of the papal favor for his ambitious plans, was sincerely on the side of the Franciscans. He seems never to have forgotten the teachings of Arnaldo de Vilanova, and as his father, Charles the Lame, had interfered to protect the Spirituals of Provence, so now both he and his queen did what they could with the angry pope to moderate his wrath, and at the same time he urged the Order to stand firm in defence of the Rule. In the protection which he afforded he did not discriminate closely between the organized resistance of the Order under its general, and the irregular mutiny of the Fraticelli. His dominions, as well as Sicily, served as a refuge for the latter. With the troubles provoked by John their numbers naturally grew. Earnest spirits, dissatisfied with Michele's apparent acquiescence in John's new heresy, would naturally join them. They ranged themselves under Henry da Ceva, who had fled to Sicily from persecution under Boniface VIII.; they elected him their general minister and formed a complete independent organization, which, when John triumphed over the Order, gathered in its recalcitrant fragments and constituted a sect whose strange persistence under the fiercest persecution we shall have to follow for a century and a half.*

* Wadding. ann. 1317, No. 9; ann. 1318, No. 8; ann. 1323, No. 16; ann. 1325, No. 6; ann. 1331, No. 3.—Chron. Glassberger ann. 1325, 1326, 1330.—Raynald. ann.

On the persecution of these insubordinate brethren Michele da Cesena could afford to look with complacency, and he evidently desired to regard the bull of August, 1327, as directed against them. He maintained his attitude of submission. In June the pope had summoned him from Rome to Avignon, and he had excused himself on the ground of sickness. His messengers with his apologies were graciously received, and it was not until December 2 that he presented himself before John. The pope subsequently declared that he had been summoned to answer for secretly encouraging rebels and heretics, and doubtless the object was to be assured of his person, but he was courteously welcomed, and the ostensible reason given for sending for him was certain troubles in the provinces of Assisi and Aragon, in which Michele obediently changed the ministers. Until April, 1328, he remained in the papal court, apparently on the best of terms with John.*

Meanwhile the quarrel between the empire and the papacy had been developing apace. In the spring of 1326 Louis suddenly and without due preparation undertook an expedition to Italy, at the invitation of the Ghibellines, for his imperial coronation. When he reached Milan in April to receive the iron crown John sternly forbade his further progress, and on this being disregarded, proceeded to excommunicate him afresh. Thus commenced another prolonged series of citations and sentences for heresy, including the preaching of a crusade with Holy Land indulgences against the impenitent sinner. Unmoved by this, Louis slowly made his way to Rome, which he entered January 7, 1327, and where he was crowned on the 17th, in contemptuous defiance of papal prerogative, by four syndics elected by the people, after which, according to usage, he exchanged the title of King of the Romans for that of Emperor. As the defender of the faith he proceeded to try the pope on the charge of heresy, based upon his denial of the poverty of Christ. April 14 he promulgated a law authorizing the prosecution and sentence *in absentia* of those notoriously defamed for treason or heresy, thus imitating the papal injustice of

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1325, No. 20, 27.—Franz Ehrle (Archiv für L. u. K. 1886, p. 151).—Martene Thesaur. II. 752–3.—Vitoduran. Chron. (Eccard. Corp. Hist. I. 1799).—D'Argentré, I. i. 297.—Eymeric. pp. 291-4.

* Martene Thesaur. II. 749.—Baluz. et Mansi III. 315–16.—Nicholaus Minorita (Baluz. et Mansi III. 238-40).

which he himself complained bitterly; and, on the 17th, sentence of deposition was solemnly read to the assembled people before the basilica of St. Peter. It recited that it was rendered at the request of the clergy and people of Rome; it recapitulated the crimes of the pope, whom it stigmatized as Antichrist; it pronounced him a heretic on account of his denying the poverty of Christ, deposed him from the papacy, and threatened confiscation on all who should render him support and assistance.*

As a pope was necessary to the Church, and as the college of cardinals were under excommunication as fautors of heresy, recourse was had to the primitive method of selection: some form of election by the people and clergy of Rome was gone through on May 12, and a new Bishop of Rome was presented to the Christian world in the person of Pier di Corbario, an aged Franciscan of high repute for austerity and eloquence. He was Minister of the province of the Abruzzi and papal penitentiary. He had been married, his wife was still living, and he was said to have entered the Order without her consent, which rendered him "irregular" and led to an absurd complication, for the woman, who had never before complained of his leaving her, now came forward and put in her claims to be bought off. He assumed the name of Nicholas V., a college of cardinals was readily created for him, he appointed nuncios and legates and proceeded to degrade the Guelfic bishops and replace them with Ghibellines. In the confusion attendant upon these revolutionary proceedings it can be readily imagined that the Fraticelli emerged from their hiding-places and indulged in glowing anticipations of the future which they fondly deemed their own.†

Although the Franciscan prefect of the Roman province assembled a chapter at Anagni which pronounced against Pier di Corbario, and ordered him to lay aside his usurped dignity, it was impossible that the Order should escape responsibility for the rebellion, nor is it likely that Michele da Cesena was not privy to the whole proceeding. He had remained quietly at Avignon, and

* Chron. Sanens. (Muratori S. R. I. XV. 77, 79).—Martene Thesaur. II. 684–723.—Nicholaus Minorita (Bal. et Mansi III. 240–3).

† Nicholaus Minorita (Bal. et Mansi III. 243).—Ptolomæi Lucensis Hist. Eccles. cap. 41 (Muratori S. R. I. XI. 1210).—Chron. Sanens. (Muratori XV. 80).—Wadding. ann. 1328, No. 2–4, 8–11.

John had manifested no abatement of cordiality until April 9, when, on being summoned to an audience, the pope attacked him on the subject of the Chapter of Perugia, which six years before had asserted the poverty of Christ and the apostles. Michele stoutly defended the utterances of the chapter, saying that if they were heretical then Nicholas IV. and the other popes who had affirmed the doctrine were heretics. Then the papal wrath exploded. Michele was a headstrong fool, a fautor of heretics, a serpent nourished in the bosom of the Church; and when the stream of invective had exhausted itself he was placed under constructive arrest, and ordered not to leave Avignon without permission, under pain of excommunication, of forfeiture of office, and of future disability. A few days later, on April 14, in the secrecy of the Franciscan convent, he relieved his feelings by executing a solemn notarial protest, in the presence of William of Ockham, Bonagrazia, and other trusty adherents, in which he recited the circumstances, argued that the pope either was a heretic or no pope, for either his present utterances were erroneous or else Nicholas IV. had been a heretic; in the latter case Boniface VIII. and Clement V., who had approved the Bull *Exiit qui seminat*, were likewise heretics, their nominations of cardinals were void, and the conclave which elected John was illegal. He protested against whatever might be done in derogation of the rights of the Order, that he was in durance and in just fear, and that what he might be forced to do would be null and void. The whole document is a melancholy illustration of the subterfuges rendered necessary by an age of violence.*

Michele was detained in Avignon while the general chapter of the Order was held at Bologna, to which John sent Bertrand, Bishop of Ostia, with instructions to have another general chosen. The Order, however, was stubborn. It sent a somewhat defiant message to the pope and re-elected Michele, requesting him moreover to indicate Paris as the next place of assemblage, to be held, according to rule, in three years, to which he assented. In view of the drama which was developing in Rome he might reasonably fear for liberty or life. Preparations were made for his escape. A galley, furnished, according to John, by the Emperor Louis, but according to other and more trustworthy accounts, by Genoese

* Nicholaus Minorita (Bal. et Mansi III. 238–40).

refugees, was sent to Aigues-mortes. Thither he fled, May 26, accompanied by Ockham and Bonagrazia. The Bishop of Porto, sent by John in hot haste after him, had an interview with him on the deck of his galley, but failed to induce him to return. He reached Pisa on June 9, and there ensued a war of manifestoes of unconscionable length, in which Michele was pronounced excommunicate and deposed, and John was proved to be a heretic who had rightfully forfeited the papacy. Michele could only carry on a wordy conflict, while John could act. Bertrand de la Tour, Cardinal of San Vitale, was appointed Vicar-general of the Order, another general chapter was ordered to assemble in Paris, June, 1329, and preparations were made for it by removing all provincials favorable to Michele, and appointing in their places men who could be relied on. Out of thirty-four who had met in Bologna only fourteen were seen in Paris; Michele was deposed and Gerard Odo was elected in his place; but even under this pressure no declaration condemning the poverty of Christ could be obtained from the chapter. The mass of the Order, reduced to silence, remained faithful to the principles represented by its deposed general, until forced to acquiescence by the arbitrary measures so freely employed by the pope and the examples made of those who dared to express opposition. Still John was not disposed to relax the Franciscan discipline, and when, in 1332, Gerard Odo, in the hope of gaining a cardinal's hat, persuaded fourteen provincial ministers to join him in submitting a gloss which would have virtually annulled the obligation of poverty, his only reward was the ridicule of the pope and sacred college.*

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* Nicholaus Minorita (Baluz. et Mansi III. 248–349).—Jac. de Marchia Dial. (Ibid. II. 598).—Chron. Sanens. (Muratori S. R. I. XV. 81).—Vitodurani Chron. (Eccard. Corp. Hist. I. 1799–1800).—Martene Thesaur. II. 757–60.—Alvar. Pelag. De Planctu Eccles. Lib. II. art. 67.

The career of Cardinal Bertrand de la Tour illustrates the pliability of conscience requisite to those who served John XXII. He was a Franciscan of high standing. As Provincial of Aquitaine he had persecuted the Spirituals. Elevated to the cardinalate, when John called for opinions on the question of the poverty of Christ he had argued in the affirmative. In conjunction with Vitale du Four, Cardinal of Albano, he had secretly drawn up the declaration of the Chapter of Perugia which so angered the pope, but when the latter made up his mind that Christ had owned property, the cardinal promptly changed his

The settlement of the question depended much more upon political than upon religious considerations. Louis had abandoned Rome and established himself in Pisa with his pope, his cardinals, and his Franciscans, but the Italians were becoming tired of their kaiser. It mattered little that in January, 1329, he indulged in the childish triumph of solemnly burning John XXII. in effigy; he was obliged soon after to leave the city, and towards the end of the year he returned to Germany, carrying with him the men who were to defend his cause with all the learning of the schools, and abandoning to their fate those of his partisans who were unable to follow him.* The proceedings which ensued at Todi will serve to show how promptly the Inquisition tracked his retreating footsteps, and how useful it was as a political agency in reducing rebellious communities to submission.

The Todini were Ghibelline. In 1327, when John XXII. had ordered Francisco Damiani, Inquisitor of Spoleto, to proceed vigorously against Mucio Canistrario of Todi as a rebel against the Church, and Mucio had accordingly been imprisoned, the people had risen in insurrection and liberated the captive, while the inquisitor had been forced to fly for his life. In August, 1328, they had welcomed Louis as emperor and Pier di Corbario as pope, and had ordered their notaries to use the regnal years of the latter in their instruments; they had, moreover, attacked and taken the Guelf city of Orvieto and, like all the cities which adhered to Louis, they had expelled the Dominicans. In August, 1329, abandoned by Louis, proceedings were commenced against them by the Franciscan, Frà Bartolino da Perugia, the inquisitor, who announced his intention of making a thorough inquest of the whole district of Assisi against all Patarins and heretics, against those who assert things not to be sins which the Church teaches to be sins, or are minor sins which the Church holds to be greater, against those who understand the Scriptures in a sense different from what the Holy Spirit demands, against those who talk against the state and observance of the Roman Church and its

convictions, and was now engaged in persecuting those who adhered to the belief which he had prescribed for them.—Tocco, Un Codice della Marciana, pp. 40, 43, 45.

* Chron. Cornel. Zantfliet (Martene Ampl. Coll. V. 187).—Villani, Lib. x. c. 126, 144.

teachings, and against those who have detracted from the dignity and person of the pope and his constitutions. Under this searching examinations were made as to the acts of the citizens during the visit of Louis, any sign of respect paid to him being regarded as a crime, and two sets of prosecutions were commenced—one against the Ghibellines of the city and the other against the "rebellious" Franciscans. These latter were summoned to reply to five articles—1, If they believed in, favored, or adhered to the Bavarian and the intrusive antipope; 2, If they had marched with a cross to meet these heretics on their entrance into Todi; 3, If they had obeyed or done reverence to the Bavarian as emperor or to P. di Corbario as pope; 4, If they had taught or preached that the constitutions of John were heretical or himself a heretic; 5, If, after Michele da Cesena was condemned and deposed for heresy, they had adhered to him and his errors. These interrogations show how conveniently the religious and political questions were mingled together, and how thorough was the investigation rendered possible by the machinery of the Inquisition. The proceedings dragged on, and, July 1, 1330, John condemned the whole community as heretics and fautors of heresy. July 7 he sent this sentence to the legate, Cardinal Orsini, with instructions to cite the citizens peremptorily and to try them, according to the inquisitorial formula, "*summarie et de plano et sine strepitu et figura.*" Under this the Todini finally made submission, the cardinal sent Frà Bartolino and his colleague thither, and the city was reconciled, subject to the papal approval. They had been obliged to make a gift of ten thousand florins to Louis, and now a fine of equal amount was levied upon them, besides one hundred lire imposed on each of one hundred and thirty-four citizens. Apparently the terms exacted were not satisfactory to John, for a papal brief of July 20, 1331, declared the submission of the citizens deceitful, and ordered the interdict renewed. The last document which we have in the case is one of June 1, 1332, in which the legate sends to the Bishop of Todi a list of one hundred and ninety-seven persons, including Franciscans, parish priests, heads of religious houses, nobles, and citizens, who are ordered to appear before him at Orvieto on June 15, to stand trial on the inquisitions which have been found against them. That the proceedings were pushed to the bitter end there can be no doubt, for when in this year the

General Gerard Odo proposed to revoke the commission of Frà Bartolino, John intervened and extended it for the purpose of enabling him to continue the prosecutions to a definite sentence. This is doubtless a fair specimen of the minute persecution which was going on wherever the Ghibellines were not strong enough to defend themselves by force of arms.*

As for the unhappy antipope, his fate was even more deplorable. Confided at Pisa by Louis to the care of Count Fazio da Doneratico, the leading noble of the city, he was concealed for a while in a castle in Maremma. June 18, 1329, the Pisans rose and drove out the imperialist garrison, and in the following January they were reconciled to the Church. A part of the bargain was the surrender of Pier di Corbario, to whom John promised to show himself a kind father and benevolent friend, besides enriching Fazio for the betrayal of his trust. After making public abjuration of his heresies in Pisa, Pier was sent, guarded by two state galleys, to Nice, where he was delivered to the papal agents. In every town on the road to Avignon he was required publicly to repeat his abjuration and humiliation. August 25, 1330, with a halter around his neck, he was brought before the pope in public consistory. Exhausted and broken with shame and suffering, he flung himself at his rival's feet and begged for mercy, abjuring and anathematizing his heresies, and especially that of the poverty of Christ. Then, in a private consistory, he was made again to confess a long catalogue of crimes, and to accept such penance as might be awarded him. No humiliation was spared him, and nothing was omitted to make his abject recantation complete. Having thus rendered him an object of contempt and deprived him of all further power of harm, John mercifully spared him bodily torment. He was confined in an apartment in the papal palace, fed from the papal table, and allowed the use of books, but no one was admitted to see him without a special papal order. His wretched life soon came to an end, and when he died, in 1333, he was buried in the Franciscan habit. Considering the ferocity of the age, his treatment is one of the least discreditable acts in the career of John XXII. It was hardly to be expected, after the

* Franz Ehrle (Archiv für L. u K. 1885, pp. 159–64; 1886, pp. 653–69).—Archivio Storico Italiano, 1 Ott. 1865, pp. 10–21.—Ripoll II. 180.—Wadding. ann. 1326, No. 9; 1327, No. 3–4; 1331, No. 4; 1332, No. 5.

savage vindictiveness of the Ernulphine curse which he had published, April 20, 1329, on his already fallen rival—"May he in this life feel the wrath of Peter and Paul, whose church he has sought to confound! May his dwelling-place be deserted, and may there be none to live under his roof! May his children be orphans, and his wife a widow! May they be driven forth from their hearth-stones to beggary! May the usurer devour their substance, and strangers seize the work of their hands! May the whole earth fight against him, may the elements be his enemies, may the merits of all the saints at rest confound him and wreak vengeance on him through life!" *

During the progress of this contest public opinion was by no means unanimous in favor of John, and the Inquisition was an efficient instrumentality in repressing all expression of adverse sentiments. In 1323, at Carcassonne, a certain Germain Frevier was tried before it for blaspheming against John, and stigmatizing his election as simoniacal because he had promised never to set foot in stirrup till he should set out for Rome. Germain, moreover, had declared that the Franciscan pope was the true pope, and that if he had money he would go there and join him and the Bavarian. Germain was not disposed to martyrdom; at first he denied, then, after being left to his reflections in prison for five months, he pleaded that he had been drunk and knew not what he was saying; a further delay showed him that he was helpless, he confessed his offences and begged for mercy.†

Another case, in 1329, shows us what were the secret feelings of a large portion of the Franciscan Order, and the means required to keep it in subordination. Before the Inquisition of Carcassonne, Frère Barthelémi Bruguière confessed that in saying mass and coming to the prayer for the pope he had hesitated which of the two popes to pray for, and had finally desired his prayer to be for whichever was rightfully the head of the Church. Many of his brethren, he said, were in the habit of wishing that God would give John XXII. so much to do that he would forget the

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* Villani, Lib. x. c. 131, 142, 160.—Guill. Nangiac. Contin. ann. 1330.—Wadding. ann. 1330, No. 9.—Martene Thesaur. II. 736–70; 806–15.—Chron. Cornel. Zantfliet ann. 1330 (Martene Ampl. Coll. V. 194–8).

† Archives de l'Inq. de Carcassonne (Doat, XXVII. 7 sqq.).

Franciscans, for it seemed to them that his whole business was to afflict them. It was generally believed among them that their general, Michele, had been unjustly deposed and excommunicated. In a large assembly of friars he had said, "I wish that antipope was a Dominican, or of some other Order," when another rejoined, "I rejoice still more that the antipope is of our Order, for if he was of another we should have no friend, and now at least we have the Italian," whereat all present applauded. For a while Frère Barthelémi held out, but imprisonment with threats of chains and fasting broke down his resolution, and he threw himself upon the mercy of the inquisitor, Henri de Chamay. That mercy consisted in a sentence of harsh prison for life, with chains on hands and feet and bread and water for food. Possibly the Dominican inquisitor may have felt pleasure in exhibiting a Franciscan prisoner, for he allowed Barthelémi to retain his habit; and it shows the minute care of John's vindictiveness that a year later he wrote expressly to Henri de Chamay reciting that, as the delinquent had been expelled from the Order, the habit must be stripped from him and be delivered to the Franciscan authorities.*

In Germany the Franciscans for the most part remained faithful to Michele and Louis, and were of the utmost assistance to the latter in the struggle. The test was the observance of the interdict which for so many years suspended divine service throughout the empire, and was a sore trial to the faithful. To a great extent this was disregarded by the Franciscans. It was to little purpose that, in January, 1331, John issued a special bull directed against them, deprived of all privileges and immunities those who recognized Louis as emperor and celebrated services in interdicted places, and ordered all prelates and inquisitors to prosecute them. On the other hand, Louis was not behindhand in enforcing obedience by persecution wherever he had the power. An imperial brief of June, 1330, addressed to the magistrates of Aix, directs them to assist and protect those teachers of the truth, the Franciscans Siegelbert of Landsberg and John of Royda, and to imprison all their brethren whom they may designate as rebels to the empire and to the Order until the general, Michele, shall decide what is to be done with them. This shows that even in Ger-

* Doat, XXVII. 202-3, 229; XXXV. 87.

many the Order was not unanimous, but doubtless the honest Franciscan, John of Winterthur, reflects the feelings of the great body when he says that the reader will be struck with horror and stupor on learning the deeds with which the pope convulsed the Church. Inflamed by some madness, he sought to argue against the poverty of Christ, and when the Franciscans resisted him he persecuted them without measure. The Dominicans encouraged him, and he largely rewarded them. The traditional enmity between the Orders found ample gratification. The Dominicans, to excite contempt for the Franciscans, exhibited paintings of Christ with a purse, putting in his hand to take out money; nay, to the horror of the faithful, on the walls of their monasteries, in the most frequented places, they pictured Christ hanging on the cross with one hand nailed fast, and with the other putting money in a pouch suspended from his girdle. Yet rancor and religious zeal did not wholly extinguish patriotism among the Dominicans; they were, moreover, aggrieved by the sentence of heresy passed upon Master Eckart, which may perhaps explain the fact that Tauler supported Louis, as also did Margaret Ebner, one of the Friends of God, and the most eminent Dominican sister of the day. It is true that many Dominican convents were closed for years, and their inmates scattered and exiled for persistently refusing to celebrate, but others complied unwillingly with the papal mandates. At Landshut they had ceased public service, but when the emperor came there they secretly arranged with the Duke of Teck to assail their house with torches and threaten to burn it down, so that they might have the excuse of constraint for resuming public worship, and the comedy was successfully carried out. In fact, the General Chapter of 1328 complained that in Germany the brethren in many places were notably negligent in publishing the papal bulls about Louis.*

All this, however, was but an episode in the political struggle, which was to be decided by the rivalries between the houses of Wittelsbach, Hapsburg, and Luxemburg, and the intrigues of France. Louis gradually succeeded in arousing and centring

* Martene Thesaur. II. 826–8.—Carl Müller, op. cit. I. 239.—Vitodurani Chron. (Eccard. Corp. Hist. I. 1798, 1800, 1844–5, 1871).—Andreas Ratisponens. Chron. ann. 1336 (Ibid. I. 2103–4).—Preger, Der Kirchenpolitische Kampf, pp. 42–5.—Denifle, Archiv für Litt.- u. Kirchengeschichte, 1886, p. 624.

upon himself the national spirit, aided therein by the arrogant disdain with which John XXII. and his successors received his repeated offers of qualified submission. When, in 1330, Louis had temporarily secured the support of John of Luxemburg, King of Bohemia, and the Duke of Austria, and they offered themselves as sureties that he would fulfil what might be required of him, provided the independence of the empire was recognized, John retorted that Louis was a heretic and thus incapacitated; he was a thief and a robber, a wicked man who consorted with Michele, Ockham, Bonagrazia, and Marsiglio; not only had he no title to the empire, but the state of Christendom would be inconceivably deplorable if he were recognized. After the death of John in December, 1334, another attempt was made, but it suited the policy of France and of Bohemia to prolong the strife, and Benedict XII. was as firm as his predecessor. Louis was at all times ready to sacrifice his Franciscan allies, but the papacy demanded the right practically to dictate who should be emperor, and by a skilful use of appeals to the national pride Louis gradually won the support of an increasing number of states and cities. In 1338 the convention of Rhense and the Reichstag of Frankfort formally proclaimed as a part of the law of the empire that the choice of the electors was final, and that the papacy had no confirmatory power. The interdict was ordered not to be observed, and in all the states adhering to Louis ecclesiastics were given the option of resuming public worship within eight days or of undergoing a ten years' exile. It was some relief to them in this dilemma that the Roman curia sold absolutions in such cases for a florin.*

In the strife between Louis and the papacy the little colony of Franciscan refugees at Munich was of the utmost service to the imperial cause, but their time was drawing to an end. Michele da Cesena died November 29, 1342, his latest work being a long manifesto proving that John had died an unrepentant heretic, and that his successors in defending his errors were likewise heretics; if but one man in Christendom holds the true faith, that man in

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* Martene Thesaur. II. 800–6.—Raynald. ann. 1336, No. 31–5.—Vitoduran. Chron. (Eccard. Corp. Hist. I. 1842–5, 1910).—Preger, Der Kirchenpolitische Kampf, p. 33.—Hartzheim IV. 323–32.—H. Mutii Germ. Chron. ann. 1338 (Pistorii Germ. Scriptt. II. 878–81).

himself is the Church. The dithyrambic palinode which passes as his death-bed recantation is clearly a forgery, and there can be no doubt that Michele persisted to the end. When dying he handed the seal of the Order over to William of Ockham, who used it as Vicar-general; he had already, in April, 1342, appointed two citizens of Munich, John Schito and Grimold Treslo, as syndics and procurators of the Order, the latter of whom subsequently assumed the generalate. Bonagrazia died in June, 1347, declaring with the last breath of his indomitable soul that the cause of Louis was righteous. The date of William of Ockham's death is uncertain, but it occurred between 1347 and 1350.*

Thus dropped off, one by one, the men who had so gallantly defended the doctrine of the poverty of Christ. As regards the political conceptions which were the special province of Marsiglio and Ockham, their work was done, and they could exercise no further influence over the uncontrollable march of events. With the death of Benedict XII., in 1342, Louis made renewed efforts for pacification, but John of Bohemia was intriguing to secure the succession for his house, and they were fruitless, except to strengthen Louis by demonstrating the impossibility of securing terms tolerable to the empire. Still the intrigue went on, and in July, 1346, the three ecclesiastical electors, Mainz, Trèves, and Cologne, with Rodolph of Saxony, and John of Bohemia, assembled at Rhense under the impulsion of Clement VI. and elected the son of John, Charles Margrave of Moravia, as a rival king of the Romans. The movement, however, had no basis of popular support, and when Louis hastened to the Rhinelands all the cities and nearly all the princes and nobles adhered to him. Had the election been postponed for a few weeks it would never have taken place, for the next month occurred the battle of Crécy, where the gallant knight, John of Bohemia, died a chivalrous death, Charles, the newly-elected king, saved his life by flight, and French influence was temporarily eclipsed. Thus unauspiciously commenced, the reign of Charles IV. had little promise of duration, when, in Octo-

* Vitoduran Chron. (Eccard. I. 1844).—Sächsische Weltchronik, dritte bairisch Fortsetzung No. 9 (Pertz II. 346).—Baluz. et Mansi III. 349–55.—Muratori S. R. I. III. II. 513–27.—Jac. de Marchia Dial. (Bal. et Mansi II. 600).—Preger, op. cit. pp. 35–6.—Carl Müller, op. cit. I. 370–2.—Chron. Glassberger ann. 1342, 1347.

ber, 1347, Louis, while indulging in his favorite pastime of hunting, was struck with apoplexy and fell dead from his horse. The hand of God might well be traced in the removal of all the enemies of the Holy See, and Charles had no further organized opposition to dread.*

Desirous of obtaining the fullest advantage from this unlooked-for good-fortune, Clement VI. commissioned the Archbishop of Prague and the Bishop of Bamberg to reconcile all communities and individuals who had incurred excommunication by supporting the Bavarian, with a formula of absolution by which they were obliged to swear that they held it heresy for an emperor to depose a pope, and that they would never obey an emperor until he had been approved by the pope. This excited intense disgust, and in many places it could not be enforced. The teachings of Marsiglio and Ockham had at least borne fruit in so far that the papal pretensions to virtually controlling the empire were disdainfully rejected. The German spirit thus aroused is well exemplified by what occurred at Basle, a city which had observed the interdict and was eager for its removal. When Charles and the Bishop of Bamberg appeared before the gates they were received by the magistrates and a great crowd of citizens. Conrad of Barenfels, the burgomaster, addressed the bishop: "My Lord of Bamberg, you must know that we do not believe, nor will we confess, that our late lord, the Emperor Louis, ever was a heretic. Whomsoever the electors or a majority of them shall choose as King of the Romans we will hold as such, whether he applies to the pope or not, nor will we do anything else that is contrary to the rights of the empire. But if you have power from the pope and are willing to remit all our sins, so be it." Then, turning to the people, he called out, "Do you give to me and to Conrad Münch power to ask for the absolution of your sins?" The crowd shouted assent; the two Conrads took an oath in accordance with this; divine services were resumed, and the king and bishop entered the town.†

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* Schmidt, Päbstliche Urkunden und Regesten, p. 362.—Henr. Rebdorff. Annal. ann. 1346–7 (Freher et Struv. I. 626-8).

† Henr. Rebdorff. Annal. ann. 1347 (Freher et Struv. I. 628).—Matthiæ Neuburg. (Albert. Argentinens.) Chron. ann. 1348 (Urstisii II. 142–3).—Preger, Der Kirchenpolitische Kampf, pp. 56–60.

Yet the question as to the poverty of Christ, which had been put forward by John and Louis as the ostensible cause of quarrel, and which had been so warmly embraced by a portion at least of the German Franciscans, sank completely out of sight north of the Alps with the death of Louis and the extinction of the Munich colony of refugees. Germany had her own hordes of mendicants, regular and irregular, in the Beguines and Beghards, who seem to have troubled themselves but little about points so purely speculative; and though we occasionally hear of Fraticelli in those regions, it is rather as a convenient name employed by monkish chroniclers than as really representing a distinctive sect.

It was otherwise in the South, and especially in Italy, the native home of Franciscanism and of the peculiar influences which moulded the special ascetic development of the Order. There the impulses which had led the earlier Spirituals to endure the extremity of persecution in vindication of the holiness of absolute poverty were still as strong as ever. Under Boniface and Clement and during the earlier years of John its professors had lain in hiding or had sought the friendly refuge of Sicily. In the confusion of the Franciscan schism they had emerged and multiplied. With the downfall of the antipope and the triumph of John they were once more proscribed. In the quarrel over the poverty of Christ, that tenet had naturally become the distinguishing mark of the sectaries, and its condemnation by John necessarily entailed the consequence of denying the papal authority and asserting the heresy of the Holy See. Yet there can be no doubt that among the austerer members of the orthodox Order who accepted the definitions of the papacy there was much sympathy felt for the rebellious dissidents. Resistance to the imperious will of John XXII. having failed, there were abundant stories of visions and miracles circulated from convent to convent, as to the wrath of God and of St. Francis visited upon those who infringed upon the holy vow of poverty. The *Liber Conformitatum* is manifestly the expression of the aspirations of those who wished to enforce the Rule in all its strictness as the direct revelation of the Holy Spirit. Such men felt that the position of their proscribed brethren was logically correct, and they were unable to reconcile the decrees of Nicholas III. with those of John XXII. One of these, described as a man much beloved of God, applied to St. Birgitta to resolve his doubts, where-

upon she had two visions in which the Virgin sent him her commands to say to all who believed that the pope was no pope, and that priests do not truly consecrate the host in the mass, that they were heretics filled with diabolical iniquity. All this points to a strong secret sympathy with the Fraticelli which extended not only among the people, but among the friars and occasionally even among the prelates, explaining the ability of the sectaries to maintain their existence from generation to generation in spite of almost unremitting persecution by the Inquisition.*

In 1335, one of the earliest cares of Benedict XII. after his accession was the repression of these *Fratres de paupere Vita*, as they styled themselves. They still in many places publicly displayed their contumacy by wearing the short and narrow gowns of the Spirituals. They still held Michele to be their general, insulted the memory of John XXII., and were earnestly and successfully engaged in proselytism. Moreover, they were openly protected by men of rank and power. All the inquisitors, from Treviso and Lombardy to Sicily, were commanded to free the Church from these impious hypocrites by vigorous action, and directions were sent to the prelates to lend efficient assistance. There were some, at least, of the latter who did not respond, for in 1336 Francesco, Bishop of Camerino, and Giacopo, Bishop of Firmo, were summoned to answer for favoring the sectaries and permitting them to live in their dioceses. The whole Order, in fact, was still infected with these dangerous doctrines, and could not be brought to view the dissidents with proper abhorrence. Benedict complained that in the kingdom of Naples many Franciscan convents gave shelter to these perverse brethren, and in a bull regulating the Order issued this same year he alludes to those among them who wear peculiar vestments and, under a pretended exterior of sanctity, maintain heresies condemned by the Church of Rome; all such, together with those who protect them, are to be imprisoned until they submit. It was not always easy to enforce obedience to these mandates. The Bishop of Camerino was stubborn, and the next year, 1337, Frà Giovanni di Borgo, the inquisitor of

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* Wadding. ann. 1330, No. 14–15.—Alvar. Pelag. de Planct. Eccles. Lib. II. art. 51 (fol. 169 *a*).—Lib. Conformitatum Lib. I. Fruct. ix. p. ii.—Revel. S. Brigittæ Lib. VII. c. 8.

the Mark of Ancona, was instructed to proceed severely against him and other fautors of these heretics. By his active operations Frà Giovanni incurred the ill-will of the nobles of his district, who had sufficient influence with the general, Gerard Odo, to procure his replacement by his associate Giacomo and subsequently by Simone da Ancona, but the Cardinal Legate Bertrand intervened, and Benedict restored him with high encomiums on his efficiency. Although persecution was thus active, it is probable that few of the sectaries had the spirit of martyrdom, and that they recanted under pressure, but there was no hesitation in inflicting the full punishment of heresy on those who were persistent. June 3, 1337, at Venice, Frà Francesco da Pistoia was burned for pertinaciously asserting the poverty of Christ in contempt of the definitions of John XXII., nor was he the only victim.*

The test of heresy, as I have said, was the assertion that Christ and the apostles held no property. This appears from the abjuration of Frà Francesco d' Ascoli in 1344, who recants that belief and declares that in accordance with the bulls of John XXII. he holds it to be heretical. That such continued to be the customary formula appears from Eymerich, who instructs his inquisitor to make the penitent declare under oath, "I swear that I believe in my heart and profess that our Lord Jesus Christ and his apostles while in this mortal life held in common the things which Scripture declares them to have had, and that they had the right of giving, selling, and alienating them." †

The heresy was thus so purely an artificial one, created by the Holy See, that perhaps it is not difficult to understand the sympathy excited by these poor and self-denying ascetics, who bore all the external marks of what the Church had for ages taught to be exceeding holiness. Camerino continued to be a place of refuge. In 1343 Clement VI. ordered the Bishops of Ancona and Osimo to cite before him within three months Gentile, Lord of Camerino, for various offences, among which was protecting the Fraticelli, impeding the inquisitors in the prosecution of their duties, and de-

* Wadding. ann. 1335, No. 10-11; ann. 1336, No. 1; ann. 1337, No. 1; ann. 1339, No. 1.—Raynald. ann. 1335, No. 63; ann. 1336, No. 63, 64, 66-7; ann. 1337, No. 80; ann. 1375, No. 64.—Comba, La Riforma in Italia, I. 328.—Vit. Prima Benedicti XII. ann. 1337 (Muratori S. R. I. III. II. 531).

† D'Argentré I. I. 345.—Eymeric. p. 486.

spising for several years the excommunication which they had pronounced against him. Even the inquisitors themselves, especially in Franciscan districts, were not always earnest in the work, possibly because there was little prospect of profitable confiscations to be procured from those who regarded the possession of property as a sin, and in 1346 Clement found himself obliged to reprove them sharply for their tepidity. In such districts the Fraticelli showed themselves with little concealment. When, in 1348, Cola di Rienzo fled from Rome after his first tribuneship, he betook himself to the Fraticelli of Monte Maiella; he was charmed with their holiness and poverty, entered the Order as a Tertiary, and deplored that men so exemplary should be persecuted by the pope and the Inquisition. Tuscany was full of them. It was in vain that about this period Florence adopted severe laws for their repression, placing them under the ban, empowering any one to capture them and deliver them to the Inquisition, and imposing a fine of five hundred lire on any official declining, when summoned by the inquisitors, to assist in their arrest. The very necessity of enacting such laws shows how difficult it was to stimulate the people to join the persecution. Even this appears to have been ineffectual. There is extant a letter from Giovanni delle Celle of Vallombrosa to Tommaso di Neri, a Fraticello of Florence, in which the former attacks the fatuity of the latter in making an idol of poverty; the letter was answered and led to a controversy which seems to have been conducted openly.*

Yet, trivial as was apparently the point at issue, it was impossible that men could remain contentedly under the ban of the Church without being forced to adopt principles destructive of the whole ecclesiastical organization. They could only justify themselves by holding that they were the true Church, that the papacy was heretical and had forfeited its claim of obedience, and could no longer guide the faithful to salvation. It is an interesting proof of the state of public opinion in Italy, that in spite of the thoroughly organized machinery of persecution, men who held these doctrines were able to disseminate them almost publicly and

* Werunsky Excerptt. ex Registt. Clem. PP. VI. pp. 23–4.—Raynald. ann. 1346, No. 70.—Comba, La Riforma, I. 326–7, 387.—Lami, Antichità Toscane, pp. 528. 595.

to make numerous proselytes. About the middle of the century they circulated throughout Italy a document written in the vernacular, "so that it can be understood by every one," giving their reasons for separating themselves from pope and prelate. It is singularly temperate in tone and logical in structure. The argument is drawn strictly from Scripture and from the utterances of the Church itself, and from even the standpoint of a canonist it is unanswerable. There are no apocalyptic hysterics, no looking forward to Antichrist or to new ages of the world, no mysticism. There is not even any reference to St. Francis, nor any claim that his Rule is inspired and inviolable. Yet none the less the whole body of the Church is declared to be heretic, and all the faithful are summoned to cut loose from it.

The reasons alleged for this are three—First, heresy; second, simony; third, fornication. As to the first, John XXII. is proved to be a heretic by the bulls pronouncing heretical the doctrine that Christ and the apostles possessed nothing. This is easily done by reason of the definitions of the previous popes confirmed by the Council of Vienne. The corollary of course follows that all his successors and their cardinals are heretics. As regards simony, the canons of the Decretum and the utterances of the doctors are quoted to show that it is heresy. As regards fornication, it was easy to cite the canons embodying the Hildebrandine doctrine that the sacraments of fornicating priests are not to be received. It is true that there are many priests who are not fornicators, but there are none who are not simonists—who have not given or received money for the sacraments. Even if he could be found who is innocent on all these heads, it would be necessary for him to separate himself from the rest, for, as Raymond of Pennaforte shows in the Summa, those are guilty of mortal sin and idolatry who receive the sacraments of heretics. The Fraticelli, therefore, have been obliged to withdraw from a heretical church, and they issue this manifesto to justify their course. If in any way it is erroneous, they ask to have the error pointed out; and if it is correct, the faithful are bound to join them, because, after the facts are known, association with prelates and clergy thus heretical and excommunicate will involve in heresy all who are guilty of it.*

* Comba, La Riforma, I. 568–71.

All the Fraticelli, however, were not uniformly agreed upon all points. In the above document a leading argument is drawn from the assumed vitiation of the sacraments in polluted hands—a dangerous tenet, constantly recurring to plague the successors of Hildebrand—which we do not find in other utterances of the sectaries. In fact, we find them, in 1362, divided into two branches, one of which recognized as its leader Tommaso, ex-Bishop of Aquino, and held that as John XXII. and his successors were heretics, the sacrament of ordination derived from them was void, and reordination was required of all ecclesiastics entering the sect. The other, which took its name from Felipe of Majorca, was regularly organized under a general minister, and, while equally regarding the popes as heretics, recognized the ordinations of the establishment. All branches of the sect, however, drew ample store of reasons from the venality and corruption of the Church, which was doubtless their most convincing argument with the people. There is extant a letter in the vulgar tongue from a frate to two female devotees, arguing, like the more formal manifesto, that they are bound to withdraw from the communion of the heretical church. This is the beast with seven horns, which are: 1, supreme pride; 2, supreme cruelty; 3, supreme folly or wrath; 4, supreme deceit and inimitable falsehood; 5, supreme carnality or lust; 6, supreme cupidity or avarice; 7, supreme hatred of truth, or malice. The ministers of this heretic church have no shame in publicly keeping concubines, and in selling Christ for money in the sacraments. This letter further indicates the legitimate descent of the Fraticelli from the Spirituals by a quotation from Joachim to show that St. Francis is Noah, and the faithful few of his children are those who are saved with him in the Ark.*

A still closer connection may be inferred from a bull of Urban V., issued about 1365, instructing inquisitors to be active in exterminating heretics, and describing for their information the different heresies. The Fraticelli are represented as indulging in gluttony and lasciviousness under the cover of strict external sanctity, pretending to be Franciscan Tertiaries, and begging publicly or living in their own houses. It is possible, however, that his de-

* Tocco, Archivio Storico Napoletano, 1887, Fasc. 1.—Comba, La Riforma, I. 321–4.

scription of their holding assemblies in which they read Olivi's "Postil on the Apocalypse" and his other works, but chiefly the account of his death, is rather borrowed from Bernard Gui's account of the Spirituals of Languedoc, than a correct statement of the customs of the Fraticelli of his time.*

Of the final shape which the heresy assumed we have an authoritative account from its ruthless exterminator, the Inquisitor Giacomo della Marca. In his "Dialogue with a Fraticello," written about 1450, there is no word about the follies of the Spirituals, or any extraneous dogmas. The question turns wholly on the poverty of Christ and the heresy of John's definitions of the doctrine. The Fraticelli stigmatize the orthodox as Joannistæ, and in turn are called Michaelistæ, showing that by this time the extravagances of the Spirituals had been forgotten, and that the heretics were the direct descendants of the schismatic Franciscans who followed Michele da Cesena. The disorders and immorality of the clergy still afforded them their most effective arguments in their active missionary work. Giacomo complains that they abused the minds of the simple by representing the priests as simonists and concubinarians, and that the people, imbued with this poison, lost faith in the clergy, refused to confess to them, to attend their masses, to receive their sacraments, and to pay their tithes, thus becoming heretics and pagans and children of the devil, while fancying themselves children of God.†

The Fraticelli thus formed one or more separate organizations, each of which asserted itself to be the only true Church. In the scanty information which we possess, it is impossible to trace in detail the history of the fragmentary parts into which they split, and we can only say in general terms that the sect did not consist simply of anchorites and friars, but had its regular clergy and laity, its bishops and their supreme head or pope, known as the Bishop of Philadelphia, that being the name assigned to the community. In 1357 this position was filled by Tommaso, the ex-Bishop of Aquino; chance led to the discovery of such a pope in Perugia in 1374; in 1429 we happen to know that a certain Rainaldo filled the position, and shortly after a frate named Gabriel.

* Martini Append. ad Mosheim de Beghardis p. 505.

† Jac. de Marchia Dial. (Baluz. et Mansi II. 595 sqq.).

There is even talk of a chief of the laity who styled himself Emperor of the Christians.*

It was in vain that successive popes ordered the Inquisition to take the most active measures for the suppression of the sect, and that occasional holocausts rewarded their exertions, as when, under Urban V. nine were burned at Viterbo, and in 1389 Frà Michele Berti de Calci suffered the same fate at Florence. This last case reveals in its details the popular sympathy which favored the labors of the Fraticelli. Frà Michele had been sent to Florence as a missionary by a congregation of the sect which met in a cavern in the Mark of Ancona. He preached in Florence and made many converts, and was about leaving the city, April 19, when he was betrayed by five female zealots, who sent for him pretending to seek conversion. His trial was short. A colleague saved his life by recantation, but Michele was firm. When brought up in judgment to be degraded from the priesthood he refused to kneel before the bishop, saying that heretics are not to be knelt to. In walking to the place of execution many of the crowd exchanged words of cheer with him, leading to considerable disturbance, and when tied to a stake in a sort of cabin which was to be set on fire, a number put their heads inside to beg him to recant. The place was several times filled with smoke to frighten him, but he was unyielding, and after his incremation there were many people, we are told, who regarded him as a saint.†

Proceedings such as this were not likely to diminish the favor with which the Fraticelli were popularly regarded. The two Sicilies continued to be thoroughly interpenetrated with the heresy. When, in 1362, Luigi di Durazzo made his abortive attempt at rebellion, he regarded the popularity of the Fraticelli as an ele-

* Raynald. ann. 1344, No. 8; 1357, No. 12; 1374, No. 14.—Jac. de Marchia Dial. (l. c. 599, 608–9).

It may surprise a modern infallibilist to learn that so thoroughly orthodox and learned an inquisitor as the blessed Giacomo della Marca admits that there have been heretic popes—popes who persisted and died in their heresy. He comforts himself, however, with the reflection that they have always been succeeded by Catholic pontiffs (l. c. p. 599).

† Werunsky, Excerptt. ex Registt. Clem. VI. et Innoc. VI. p. 91.—Raynald. ann. 1354, No. 31; ann. 1368, No. 16.—Wadding. ann. 1354, No. 6–7; 1368, No. 4–6.—Comba, La Riforma, I. 327, 329–37.—Cantù, Eretici d' Italia, I. 133–4.—Eymeric. p. 328.

ment of sufficient importance for him to publicly proclaim sympathy with them, to collect them around him, and have Tommaso of Aquino celebrate mass for him. Francesco Marchisio, Archdeacon of Salerno, was a Fraticello, in spite of which he was elevated to the see of Trivento in 1362, and occupied it till his death about twenty years later. In 1372 Gregory XI. was shocked to learn that in Sicily the bones of Fraticelli were venerated as the relics of saints, that chapels and churches were built in their honor, and that on their anniversaries the populace flocked thither with candles to worship them; but it is not likely that his instructions to the inquisitors to put an end to these unseemly manifestations of mistaken piety were successful. At Perugia, in 1368, the magistrates were induced to throw many of the Fraticelli into prison, but to so little purpose that the people persisted in regarding them as the true children of St. Francis and in giving them shelter, while the Franciscans were despised on account of the laxity of their observance, the luxury of their houses, the costliness of their vestments, and the profusion of their table. They were ridiculed and insulted in the streets until they scarce dared to venture in public; if one chanced to let the collar of his shirt show above his gown, some one would pull up the linen and ask the jeering crowd if this was the austerity of St. Francis. As a last resort, in 1374, they sent for Paoluccio of Foligno and a public disputation was arranged with the Fraticelli. Paoluccio turned the tide of popular favor by proving that obedience to the pope was of greater moment than obedience to the Rule, and the Fraticelli were driven from the town. Even then the Inquisition seems not to have dared to prosecute them.*

The proselyting efforts of the Fraticelli were by no means confined to Italy. Believing themselves the only true Church, it was their duty to carry salvation throughout the world, and there were

* Tocco, Archivio Storico Napoletano, 1887, Fasc. 1.—Raynald. ann. 1368, No. 16; ann. 1372, No. 36.—Wadding. ann. 1374, No. 19–28.—Pet. Rodulphii Hist. Seraph. Relig. Lib. II. fol. 154 *a*.

Perugia at this period was a centre of religious excitement. A certain Piero Garigh, who seems to have been in some way connected with the Fraticelli, gave himself out as the Son of God, and dignified his disciples with the names of apostles. In the brief allusion which we have to him he is said to have obtained ten of these and to be in search of an eleventh. His fate is not recorded.—Processus contra Valdenses (Archivio Storico Italiano, 1865, No. 39, p. 50).

earnest spirits among them who were ready to dare as much as the orthodox among the infidels and barbarians. Already, in 1344, Clement VI. found himself obliged to address the archbishops, bishops, and all the faithful throughout Armenia, Persia, and the East, warning them against these emissaries of Satan, who were seeking to scatter among them the seeds of error and schism. He had no inquisitors to call upon in those regions, but he ordered the prelates to inquire after them and to punish them, authorizing them, with a singular lack of perception, to invoke, if necessary, the aid of the secular arm. The Fraticelli made at least one convert of importance, for in 1346 Clement felt himself obliged to cite for appearance within four months no less a personage than the Archbishop of Seleucia, who, infected with pseudo-minorite errors, had written in Armenian and was circulating throughout Asia a postil on St. John in which he asserted the forbidden doctrine of the poverty of Christ. In 1354 Innocent VI. heard of Fraticellian missionaries laboring among the Chazars of the Crimea, and he forthwith ordered the Bishop of Caffa to repress them with inquisitorial methods. In 1375 Gregory XI. learned that they were active in Egypt, Syria, and Asia, and he promptly ordered the Franciscan provincial of those regions to enforce on them the severity of the laws. One, named Lorenzo Carbonello, had ventured to Tunis, to infect with his heresy the Christians of that kingdom, whereupon Gregory commanded Giacomo Patani and Guillen de Ripoll, the captains of the Christian troops in the service of the Bey of Tunis, to seize him and send him in chains to the Archbishop of Naples or of Pisa. Doubtless, if the command was obeyed, it led the unthinking Moslem to thank Allah that they were not Christians.*

In Languedoc and Provence the rigorous severity with which the Spirituals had been exterminated seems to have exercised a wholesome influence in repressing the Fraticelli, but nevertheless a few cases on record shows the existence of the sect. In 1336 we hear of a number confined in the papal dungeons of Avignon—among them a papal chaplain—and that Guillaume Lombard, the judge of ecclesiastical causes, was ordered to exert against them

* Raynald. ann. 1344, No. 8; ann. 1346, No. 70; ann. 1354, No. 81; ann. 1375, No. 27.

the full severity of the laws. In 1354 two Tuscan Fraticelli, Giovanni da Castiglione and Francesco d' Arquata, were arrested at Montpellier for holding that John XXII. had forfeited his authority by altering the definitions of the bull *Exiit*, and that his successors were not the true Church. Innocent VI. caused them to be brought before him, but all efforts to make them recant were vain; they went tranquilly to the stake, singing *Gloria in excelsis*, and were reverenced as martyrs by a large number of their brethren. Two others, named Jean de Narbonne and Maurice had not long before met the same fate at Avignon. In northern France we hear little of the heresy. The only recorded case seems to be that of Denis Soulechat, a professor of the University of Paris, who taught in 1363 that the law of divine love does away with property, and that Christ and the apostles held none. Summoned by the Inquisitor Guillaume Rochin, he abjured before the Faculty and then appealed to the pope. At Avignon, when he endeavored to purge himself before an assembly of theologians, he only added new errors to his old ones, and was sent back to the Cardinal of Beauvais and the Sorbonne with orders to make him recant, and to punish him properly with the advice of the inquisitor. In 1368 he was forced to a public abjuration.*

In Spain a few cases show that the heresy extended across the Pyrenees. In Valencia, Fray Jaymo Justi and the Tertiaries Guillermo Gelabert and Marti Petri, when arrested by R. de Masqueta, commissioner of the Inquisitor Leonardo de Puycerda, appealed to Clement VI., who ordered the Bishop of Valencia to release them on their giving bail not to leave the city until their case should be decided at Avignon. They must have had wealthy disciples, for security was furnished in the heavy sum of thirty thousand sols, and they were discharged from prison. The papal court was in no hurry with the case—probably it was forgotten—when, in 1353, Clement learned that the two Tertiaries were dead, and that Justi was in the habit of leaving the city and spreading his pestiferous doctrines among the people. He therefore ordered

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* Raynald. ann. 1336, No. 64; ann. 1351, No. 31; ann. 1368, No. 16–7.—Archives de l'Inq. de Carcass. (Doat, XXXV. 130).—Mosheims Ketzergeschichte I. 387.—Henr. Rebdorff Annal. ann. 1353 (Freher et Struv. I. 632).—Eymeric. p. 358.—D'Argentré, I. i. 383–6.

Hugo, Bishop of Valencia, and the Inquisitor Nicolas Roselli to prosecute the case forthwith. Justi must have recanted, for he was merely imprisoned for life, while the bones of the two Tertiaries were dug up and burned. Even more obdurate was Fray Arnaldo Mutaner, who for nineteen years infected Puycerda and Urgel with the same heresy. He was contumacious and refused to appear when summoned to abjure. After consultation with Gregory XI., Berenger Darili, Bishop of Urgel, condemned him, and so did Eymerich. Pursuit apparently grew hot, and he fled to the East. The last we hear of him is in 1373, when Gregory ordered his vicar, the Franciscan Arnaud, to seize him and send him in chains to the papal court, but whether the effort was successful we have no means of knowing. A bull of Martin V. in 1426 shows the continued existence of Fraticelli in Aragon and Catalonia, and the necessity of active measures for their extirpation.*

It was probably a heresy of the same nature which, in 1442, was discovered in Durango, Biscay. The heresiarch was the Franciscan Alonso de Mella, brother of Juan, Cardinal-bishop of Zamora, and the sectaries were known as Cerceras. The story that Alonso taught indiscriminate sexual intercourse is doubtless one of the customary exaggerations. King Juan II., in the absence of the Inquisition, sent the Franciscan, Francisco de Soria, and Juan Alonso Cherino, Abbot of Alcalá la Real, to investigate the matter, with two alguazils and a sufficient force. The heretics were seized and carried, some to Valladolid and some to Santo Domingo de la Calçada, where torture was used to extract confession, and the obstinate ones were burned in considerable numbers. Fray Alonso de Mella, however, managed to escape and fled to Granada, it is said, with some of his girls; but he did not avert his fate, for he was *acañavereado* by the Moors—that is, put to a lingering death with pointed sticks. The affair must have made a profound impression on the popular mind, for even until modern times the people of Durango were reproached by their neighbors with the "*autos de Fray Alonso*," and in 1828 an overzealous alcalde, to obliterate all record of the matter, burned the

* Ripoll II. 245.—Eymeric. pp. 266–7.—Raynald. ann. 1373, No. 19; ann. 1426, No. 18.—Wadding. ann. 1371, No. 26–30.

original documents of the process, which till then had reposed quietly among the records of the parish church.*

The violent measures of John XXII., followed up by his successors, for a while effectually repressed the spiritual asceticism of the Franciscans. Yet it was impossible that impulses which were so marked a characteristic of the age should be wholly obliterated in an Order in which they had become traditional. We see this in the kindness manifested by the Franciscans to the Fraticelli when it could be done without too much risk, and we cannot doubt that there were many who aspired to imitate the founder without daring to overleap the bounds of obedience. Such men could not but look with alarm and disgust at the growing worldliness of the Order under the new dispensation of John. When the Provincial of Tuscany could lay aside five hundred florins out of the alms given to his brethren, and then lend this sum to the Hospital of S. Maria of Siena at ten per cent. per annum, although so flagrant a violation of his vows and of the canons against usury brought upon him the penalty of degradation, it required a divine visitation to impress his sin upon the minds of his fellows, and he died in 1373 in great agony and without the sacraments. Various other manfestations about the same time indicate the magnitude of the evil and the impossibility of suppressing it by human means. Under Boniface IX., Franciscans, we are told, were in the habit of seeking dispensations to enable them to hold benefices and even pluralities; and the pope decreed that any Mendicant desiring to be transferred to a non-Mendicant Order should, as a preliminary, pay a hundred gold florins to the papal camera. Under such a system there could be scarce a pretence of maintaining the holy poverty which had been the ideal of Francis and his followers.†

Yet the ardent thirst of poverty and the belief that in it lay the only assured path to salvation were too widely diffused to be repressed. Giovanni Colombini, a rich and ambitious citizen

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* Garibay, Comp. Historial de España, Lib. xvi. c. 31.—La Puente, Epit. de la Cronica de Juan II., Lib. iv. c. i.—Pelayo, Heterodoxos Españoles, I. 546–7.—Mariana, Lib. xxi. c. 18.—Rodrigo, Inquisicion, II. 11–12.—Paramo, p. 131.

† Wadding. ann. 1383, No. 2.—Gobelinæ Personæ Cosmodrom. Æt. v. c. 84 (Meibom. Rer. German. I. 317).

of Siena had his thoughts accidentally directed to heaven. His career strikingly resembles that of Peter Waldo, save that the Church, grown wiser, utilized his zeal instead of antagonizing him. The Order of Jesuats which he founded was approved by Urban V. in 1367. It was an order of lay brethren under the Augustinian Rule, vowed to poverty and devoted to the care of the sick, not unlike that of the Cellites or Alexians of the Rhinelands.*

It was inevitable that there should be dissatisfaction among the more ascetic Franciscans, and that the more zealous of these should seek some remedy short of heresy. In 1350 Gentile of Spoleto obtained from Clement VI. authorization for some houses of stricter observance. Immediately the experience of Angelo and Liberato was repeated. The wrath of the Conventuals was excited. The innovators were accused of adopting the short and narrow gowns which had been the distinguishing mark of the dreaded Olivists. In the General Chapter of 1353, the General Farignano was urged to exterminate them by the measures which had proved so effective in Languedoc. To this he did not assent, but he set spies to work to obtain evidence against them, and soon was able to accuse them of receiving Fraticelli. They admitted the fact, but argued that this had been in the hope of converting the heretics, and when they proved obstinate they had been expelled—but they had not been reported to the Inquisition as duty required. Armed with this, Farignano represented to Innocent VI. the grave dangers of the innovation, and obtained a revocation of the papal authorization. The brethren were dispersed, Gentile and two companions were thrown into prison at Orvieto; his coadjutor, Frà Martino, a most exemplary man, who shone in miracles after death, died the next year, and the rest were reduced to obedience. After prolonged captivity Gentile was released, and died in 1362, worn out with fruitless labors to restore the discipline of the Order.†

More fortunate was his disciple, Paoluccio da Trinci, of Foligno, a simple and unlearned friar, who had obtained from his kinsman,

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* Baluz. et Mansi IV. 566 sqq. In 1606 Paul V. allowed the Jesuats to take orders.

† Wadding. ann. 1350, No. 15; ann. 1354, No. 1, 2; ann. 1362, No. 4.—Chron. Glassberger ann. 1352, 1354, 1355.

Ugolino, Lord of Foligno, a dungeon in which to gratify his thirst for asceticism. Though he had permission for this from his superiors, he suffered much from the hostility of the laxer brethren, but his austerities gained him great popular reverence and many disciples. In 1368 the General Farignano chanced to attend a provincial chapter at Foligno, and was persuaded to ask of Ugolino a spot called Brulliano, in the mountains between Foligno and Camerino, as a hermitage for Paoluccio and his followers. After his request was granted he dreaded a schism in the Order and wished to recall it, but Ugolino held him to his purpose. The place was wild, rocky, marshy, unwholesome, infested with serpents, and almost uninhabited. Thither Paoluccio led his brethren, and they were forced to adopt the sabots or wooden shoes, which became the distinguishing foot-gear of their Order. Their reputation spread apace; converts flocked to them; their buildings required enlargement; associate houses were founded in many places, and thus arose the Observantines, or Franciscans of strict observance—an event in the history of the Church only second in importance to the original foundation of the Mendicant Orders.*

When Paoluccio died, in 1390, he was already reckoned as a provincial within the Order. After an interval he was succeeded by his coadjutor, Giovanni Stronconi. In 1405 began the marvellous career of St. Bernardino of Siena, who counts as the formal founder of the Observantines. They had merely been called the Brethren of the Hermitages until the Council of Constance established them as an organization virtually independent of the Conventuals, when they took the name by which they have since been known. Everywhere their institution spread. New houses arose, or those of the Conventuals were reformed and given over to them. Thus in 1426 they were introduced into the province of Strassburg through the intervention of Matilda of Savoy, wife of the Palsgrave Louis the Bearded. Familiar in her youth with their virtues, she took occasion at Heidelberg to point out to her husband the Franciscans in their convent garden below them, amusing themselves with military exercises. It resulted in the reform of all the houses in his dominions and the introduction of the Observantine discipline, not without serious trouble. In 1453

* Wadding. ann. 1368, No. 10–13.

Nicholas of Cusa, as legate, forced all the houses in the diocese of Bamberg to adopt the Observantine discipline, under threat of forfeiting their privileges. In 1431 the holy house on Mt. Alverno, the Franciscan Mecca, was made over to them, and in 1434 the guardianship of the Holy Places in Jerusalem. In 1460 we hear of their penetrating to distant Ireland. It is not to be supposed that the Conventuals submitted quietly to the encroachments and triumphs of the hated ascetics whom for a century and a half they had successfully baffled and persecuted. Quarrels, sharper and bitterer even than those with the Dominicans, were of constant occurrence, and were beyond the power of the popes to allay. A promising effort at reunion attempted by Capistrano in 1430, under the auspices of Martin V., was defeated by the incurable laxity of the Conventuals, and there was nothing left for both sides but to continue the war. In 1435 the strife rose to such a pitch in France that Charles VII. was obliged to appeal to the Council of Basle, which responded with a decree in favor of the Observantines. The struggle was hopeless. The corruption of the Conventuals was so universally recognized that even Pius II. does not hesitate to say that, though they generally excel as theologians, virtue is the last thing about which most of them concern themselves. In contrast with this the holiness of the new organization won for it the veneration of the people, while the unflagging zeal with which it served the Holy See secured for it the favor of the popes precisely as the Mendicant Orders had done in the thirteenth century. At first merely a branch of the Franciscans, then placed under a virtually independent vicar-general, at length Leo X., after vainly striving to heal the differences, gave the Observantines a general minister and reduced the Conventuals to a subordinate position under a general master.*

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* Wadding. ann. 1375, No. 44; ann. 1390, No. 1–10; ann. 1403, No. 1; ann. 1405, No. 3; ann. 1415, No. 6–7; ann. 1431, No. 8; ann. 1434, No. 7; ann. 1435, No. 12–13; ann. 1453, No. 18–26; ann. 1454, No. 22–3; ann. 1455, No. 43–7; ann. 1456, No. 129; ann. 1498, No. 7–8; ann. 1499, No. 18–20.—Chron. Glassberger ann. 1426, 1430, 1501, 1517.—Theiner Monument. Hibern. et Scotor. No. 801, p. 425, No. 844, p. 460.—Æn. Sylvii Opp. inedd. (Atti della Accademia dei Lincei, 1883, p. 546).—Chron. Anon. (Analecta Franciscana I. 291–2).

The bitterness of the strife between the two branches of the Order is illustrated by the fact that the Franciscan Church of Palma, in Majorca, when struck

A religious revival such as this brought into service a class of men who were worthy representatives of the Peter Martyrs and Guillem Arnauds of the early Inquisition. Under their ruthless energy the Fraticelli were doomed to extinction. The troubles of the Great Schism had allowed the heretics to flourish almost unnoticed and unmolested, but after the Church had healed its dissensions at Constance and had entered upon a new and vigorous life, it set to work in earnest to eradicate them. Hardly had Martin V. returned to Italy from Constance when he issued from Mantua, November 14, 1418, a bull in which he deplores the increase of the abominable sect in many parts, and especially in the Roman province. Fortified with the protection of the temporal lords, they abuse and threaten the bishops and inquisitors who attempt to repress them. The bishops and inquisitors are therefore instructed to proceed against them vigorously, without regard to limits of jurisdiction, and to prosecute their protectors, even if the latter are of episcopal or regal dignity, which sufficiently indicates that the Fraticelli had found favor with those of highest rank in both Church and State. This accomplished little, for in a subsequent bull of 1421 Martin alludes to the continued increase of the heresy, and tries the expedient of appointing the

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by lightning and partially ruined in 1480, remained on this account unrepaired for nearly a hundred years, until the Observantines got the better of their rivals and obtained possession of it.—Dameto, Pro y Bover, Hist. de Mallorca, II. 1064-5 (Palma, 1841). It is related that when Sixtus IV., who had been a Conventual, proposed in 1477 to subject the Observantines to their rivals, the blessed Giacomo della Marca threatened him with an evil death, and he desisted.—(Chron. Glassberger ann. 1477).

The exceeding laxity prevailing among the Conventuals is indicated by letters granted in 1421 by the Franciscan general, Antonius de Perreto, to Friar Liebhardt Forschammer, permitting him to deposit with a faithful friend all alms given to him, and to expend them on his own wants or for the benefit of the Order, at his discretion; he was also required to confess only four times a year.—(Chron. Glassberger ann. 1416). The General Chapter held at Forli in 1421 was obliged to prohibit the brethren from trading and lending money on usury, under pain of imprisonment and confiscation.—(Ib. ann. 1421). From the Chapter of Ueberlingen, held in 1426, we learn that there was a custom by which, for a sum of money paid down, Franciscan convents would enter into obligations to pay definite stipends to individual friars.—(Ib. ann. 1426). In fact, the efforts of reform at this period, stimulated by the rivalry of the Observantines, reveal how utterly oblivious the Order had become of all the prescriptions of the Rule.

Cardinals of Albano and Porto as special commissioners for its suppression. The cardinals proved as inefficient as their predecessors. In 1423 the General Council of Siena was greatly scandalized at finding that at Peniscola there was a heretic pope with his college of cardinals, apparently flourishing without an attempt at concealment, and the Gallican nation made several ineffectual efforts to induce the council to take active measures against the secular authorities under whose favor these scandals were allowed to exist. How utterly the machinery of persecution had broken down is illustrated by the case of three Fraticelli who had at this period been detected in Florence—Bartolommeo di Matteo, Giovanni di Marino of Lucca, and Bartolommeo di Pietro of Pisa. Evidently distrusting the Florentine Inquisition, which was Franciscan, Martin V. specially intrusted the matter to his legates then presiding over the Council of Siena. On the sudden dissolution of the council the legates returned to Rome, except the Dominican General, Leonardo of Florence, who went to Florence. To him, therefore, Martin wrote, April 24, 1424, empowering him to terminate the case himself, and expressly forbidding the Inquisitor of Florence from taking any part in it. In September of the same year Martin instructed Piero, Abbot of Rosacio, his rector of the Mark of Ancona, to extirpate the Fraticelli existing there, and the difficulty of the undertaking was recognized in the unwonted clemency which authorized Piero to reconcile even those who had been guilty of repeated relapses.*

Some new motive force was evidently required. There were laws in abundance for the extermination of heresy, and an elaborate organization for their enforcement, but a paralysis seemed to have fallen upon it, and all the efforts of the Holy See to make it do its duty was in vain. The problem was solved when, in 1426, Martin boldly overslaughed the Inquisition and appointed two Observantines as inquisitors, without limitation of districts and with power to appoint deputies, thus rendering them supreme over the whole of Italy. These were the men whom we have so often met before where heresy was to be combated—San Giovanni da

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* Raynald. ann. 1418, No. 11; ann. 1421, No. 4; ann. 1424, No. 7.—Jo. de Ragusio de Init. Basil. Concil. (Mon. Conc. Gen. Sæc. XV. T. I. pp. 30–1, 40, 55).—Ripoll II. 645.

Capistrano, and the blessed Giacomo da Montebrandano, generally known as della Marca—both full of zeal and energy, who richly earned their respective canonization and beatification by lifelong devotion and by services which can scarce be overestimated. It is true that Giacomo was commissioned only as a missionary, to preach to the heretics and reconcile them, but the difference was practically undiscoverable, and when, a quarter of a century later, he fondly looked back over the exploits of his youth, he related with pride how the heretics fled from before his face, abandoned their strongholds, and left their flocks to his mercy. Their headquarters seem to have been in the Mark of Ancona, and chiefly in the dioceses of Fabriano and Jesi. There the new inquisitors boldly attacked them. There was no resistance. Such of the teachers as could do so sought safety in flight, and the fate of the rest may be guessed from the instructions of Martin in 1428 to Astorgio, Bishop of Ancona, his lieutenant in the Mark, with respect to the village of Magnalata. As it had been a receptacle of heretics, it is to be levelled with the earth, never to be rebuilt. Stubborn heretics are to be dealt with according to the law—that is, of course, to be burned, as Giacomo della Marca tells us was the case with many of them. Those who repent may be reconciled, but their leaders are to be imprisoned for life, and are to be tortured, if necessary, to force them to reveal the names of their fellows elsewhere. The simple folk who have been misled are to be scattered around in the vicinage where they can cultivate their lands, and are to be recompensed by dividing among them the property confiscated from the rest. The children of heretic parents are to be taken away and sent to a distance, where they can be brought up in the faith. Heretic books are to be diligently searched for throughout the province; and all magistrates and communities are to be warned that any favor or protection shown to heretics will be visited with forfeiture of municipal rights.*

Such measures ought to have been effective, as well as the device of Capistrano, who, after driving the Fraticelli out of Massacio and Palestrina, founded Observantine houses there to serve as citadels of the faith, but the heretics were stubborn and enduring.

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* Wadding. ann. 1426, No. 1-4.—Raynald. ann. 1428, No. 7.—Jac. de Marchia Dial. (Baluz. et Mansi II. 597, 609).

When Eugenius IV. succeeded to the papacy he renewed Capistrano's commission in 1432 as a general inquisitor against the Fraticelli. We have no details of his activity during this period, but he was doubtless busily employed, though he was deprived of the assistance of Giacomo, who until 1440 was, as we have seen, at work among the Cathari of Bosnia and the Hussites of Hungary. The Fraticelli of Ancona were still troublesome, for, on his return from Asia in 1441, Giacomo was sent thither as special inquisitor for their suppression. When, in 1447, Nicholas V. ascended the papal throne, he made haste to renew Capistrano's commission, and in 1449 a combined attack was made on the heretics of the Mark, possibly stimulated by the capture, in his own court, of a bishop of the Fraticelli named Matteo, disguised in a Franciscan habit. Nicholas himself went to Fabriano, while Capistrano and Giacomo scoured the country. Magnalata had been rebuilt in spite of the prohibition, and it, with Migliorotta, Poggio, and Merulo, was brought back to the faith, by what means we can well guess. Giacomo boasts that the heretics gave five hundred ducats to a bravo to slay Capistrano, and on one occasion two hundred and on another one hundred and fifty to procure his own death, but the assassins in each case were touched with compunction and came in and made confession—doubtless a profitable revelation for sharpers to make, for no one acquainted with Italian society at that period can imagine that such sums would not have effected their object. The inquisitors, however, were specially protected by Heaven. Capistrano's legend relates that on one occasion the heretics waited for him in ambush. His companions passed in safety, and when he followed alone, absorbed in meditation and prayer, a sudden whirlwind, with torrents of rain, kept his assailants in their lair, and he escaped. Giacomo was similarly divinely guarded. At Matelica a heretic concealed himself in a chapel of the Virgin to assail the inquisitor as he passed, but the Virgin appeared to him with threats so terrible that he fell to the ground and lay there till the neighbors carried him to a hospital, and it was three months before he was able to seek Giacomo at Fermo and abjure.*

* Wadding. ann. 1426, No. 15–16; Regest. Mart. V. No. 162; ann. 1432, No. 8–9; ann. 1441, No. 37–8; ann. 1447, No. 10; ann. 1456, No. 108; ann. 1476,

The unlucky captives were brought before Nicholas at Fabriano and burned. Giacomo tells us that the stench lasted for three days and extended as far as the convent in which he was staying. He exerted himself to save the souls of those whose bodies were forfeit by reason of relapse, and succeeded in all cases but one. This hardened heretic was the treasurer of the sect, named Chiuso. He refused to recant, and would not call upon God or the Virgin or the saints for aid, but simply said "Fire will not burn me." His endurance was tested to the utmost. For three days he was burned piecemeal at intervals, but his resolution never gave way, and at last he expired impenitent, in spite of the kindly efforts to torture him to heaven.*

After this we hear little of the Fraticelli, although the sect still continued to exist for a while in secret. In 1467 Paul II. converted a number of them who were brought from Poli to Rome. Eight men and six women, with paper mitres on their heads, were exposed to the jeers of the populace on a high scaffold at the Araceli, while the papal vicar and five bishops preached for their conversion. Their penance consisted in imprisonment in the Campidoglio, and in wearing a long robe bearing a white cross on breast and back. It was probably on this occasion that Rodrigo Sanchez, a favorite of Paul's, and subsequently Bishop of Palencia, wrote a treatise on the poverty of Christ, in which he proved that ecclesiastics led apostolic lives in the midst of their possessions. In 1471 Frà Tommaso di Scarlino was sent to Piombino and the maritime parts of Tuscany to drive out some Fraticelli who had been discovered there. This is the last allusion to them that I have met with, and thereafter they may be considered as virtually extinct. That they soon passed completely out of notice may be inferred from the fact that in 1487, when the Spanish Inquisition persecuted some Observantines, Innocent VIII. issued a general order that any Franciscans imprisoned by Dominican inquisitors should be handed over for trial to their own superiors, and that no such prosecutions should be thereafter undertaken.†

No. 24–5.—Raynald. ann. 1432, No. 24.—Jac. de Marchia Dial. (Baluz. et Mansi II. 610).

* Jac. de Marchia l. c.

† Steph. Infessuræ Diar. Urb. Rom. ann. 1467 (Eccard. Corp. Hist. II. 1893).—

The Observantine movement may be credited with the destruction of the Fraticelli, not so much by furnishing the men and the zeal required for their violent suppression as by supplying an organization in which ascetic longings could be safely gratified, and by attracting to themselves the popular veneration which had so long served as a safeguard to the heretics. When we read of Capistrano's reputation among his countrymen—how in Vicenza, in 1451, the authorities had to shut the city gates to keep out the influx of surging crowds, and when he walked the streets he had to be accompanied by a guard of Frati to keep off the people seeking to touch him with sticks or to secure a fragment of his garment as a relic; how in Florence, in 1456, an armed guard was requisite to prevent his suffocation—we can realize the tremendous influence exercised by him and his fellows in diverting the current of public opinion to the Church which they represented. Like the Mendicants of the thirteenth century, they restored to it much of the reverence which it had forfeited, in spite of the relaxation and self-indulgence to which, if Poggio is to be believed, many of them speedily degenerated.*

Not less effective was the refuge which the Observantines afforded to those whose morbid tendencies led them to seek superhuman austerity. The Church having at last recognized the necessity of furnishing an outlet for these tendencies, as the old Fraticelli died or were burned there were none to take their place, and the sect disappears from view without leaving a trace behind it. Ascetic zeal must indeed have been intense when it could not be satiated by such a life as that of Lorenzo da Fermo, who died in 1481 at the age of one hundred and ten, after passing ninety years with the Observantines. For forty of these years he lived on Mont Alverno, wearing neither cowl nor sandals—bareheaded and barefooted in the severest weather, and with the thinnest garments. If there were natures which craved more than this, the Church had learned either to utilize or to control them. Thus was organized the Order of the Strict Observance, better known as the

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Platinæ Vit. Pauli II. (Ed. 1574, p. 308).—Rod. Santii Hist. Hispan. P. III. c. 40 (R. Beli Rer. Hisp. Scriptt. I. 433).—Wadding. ann. 1371, No. 14.—Ripoll IV. 22.

* Barbarano de' Mironi, Hist. di Vicenza, II. 164-5.—Poggii Bracciol. Dial. contra Hypocrisim.

Recollects. The Conde de Sotomayor, of the noblest blood of Spain, had entered the Franciscan Order, and, becoming dissatisfied with its laxity, obtained from Innocent VIII., in 1487, authority to found a reformed branch, which he established in the wilds of the Sierra Morena. In spite of the angry opposition of both Conventuals and Observantines, it proved successful and spread permanently through France and Italy. An irregular and unfortunate effort in the same direction was made not long after by Matteo da Tivoli, a Franciscan whose thirst for supreme asceticism had led him to adopt the life of a hermit, with about eighty followers, in the Roman province. They threw off all obedience to the Order, under the influence of Satan, who appeared to Matteo in the guise of Christ. He was seized and imprisoned, and commenced to doubt the reality of his mission, when another vision confirmed him. He succeeded in escaping with a comrade, and lived in caves among the mountains with numerous disciples, illuminated by God and gifted with miraculous power. He organized his followers into an independent Order, with general, provincials, and guardians, but the Church succeeded in breaking it up in 1495, Matteo finally returning to the Conventuals, while most of his disciples entered the Observantines.*

In reviewing this history of the morbid aberrations of lofty impulses, it is impossible not to recognize how much the Church lost in vitality, and how much causeless suffering was inflicted by the theological arrogance and obstinate perversity of John XXII. With tact and discretion the zeal of the Fraticelli could have been utilized, as was subsequently that of the Observantines. The ceaseless quarrels of the Conventuals with the latter explain the persecutions endured by the Spirituals and the Fraticelli. Paoluccio was fortunate in finding men high in station who were wise enough to protect his infant organization until it had demonstrated its usefulness and was able to defend itself, but there never was a time, even when it was the most useful weapon in the hands of the Holy See, when the Conventuals would not, had they been able, have treated it as inhumanly as they had treated the followers of Angelo and Olivi and Michele da Cesena.

* Wadding. ann. 1481, No. 9; ann. 1487, No. 3–5; ann. 1495, No. 12.—Addis and Arnold's Catholic Dictionary, s.v. Recollects.

CHAPTER IV.

POLITICAL HERESY UTILIZED BY THE CHURCH.

The identification of the cause of the Church with that of God was no new thing. Long before the formulation of laws against heresy and the organization of the Inquisition for its suppression, the advantage had been recognized of denouncing as heretics all who refused obedience to the demands of prelate and pope. In the quarrel between the empire and papacy over the question of the investitures, the Council of Lateran, in 1102, required all the bishops in attendance to subscribe a declaration anathematizing the new heresy of disregarding the papal anathema, and though the Church as yet was by no means determined on the death-penalty for ordinary heresy, it had no hesitation as to the punishment due to the imperialists who maintained the traditional rights of the empire against its new pretensions. In that same year the monk Sigebert, who was by no means a follower of the antipope Alberto, was scandalized at the savage cruelty of Paschal II. in exhorting his adherents to the slaughter of all the subjects of Henry IV. Robert the Hierosolymitan of Flanders, on his return from the first crusade, had taken up arms against Henry IV. and had signalized his devotion by depopulating the Cambresis, whereupon Paschal wrote to him with enthusiastic praises of this good work, urging him to continue it as quite as pious as his labors to recover the Holy Sepulchre, and promising remission of sins to him and to all his ruthless soldiery. Paschal himself became a heretic when, in 1111, yielding to the violence of Henry V., he conceded the imperial right of investiture of bishops and abbots, although when Bruno, Bishop of Segni and Abbot of Monte Casino, boldly proved his heresy to his face, he deprived the audacious reasoner of the abbacy and sent him back to his see. In his settlement with Henry, he had broken a consecrated host, each tak-

ing half, and had solemnly said, "Even as this body of Christ is divided, so let him be divided from the kingdom of Christ who shall attempt to violate our compact;" but the stigma of heresy was unendurable, and in 1112 he presided over the Council of Lateran, which pronounced void his oath and his bulls. When Henry complained that he had violated his oath, he coolly replied that he had promised not to excommunicate Henry, but not that he should not be excommunicated by others. If Paschal was not forced literally to abjure his heresy he did so constructively, and the principle was established that even a pope could not abandon a claim of which the denial had been pronounced heretical. When, not long afterwards, the German prelates were required at their consecration to abjure all heresy, and especially the Henrician, the allusion was not to the errors of Henry of Lausanne, but to those of the emperor who had sought to limit the encroachments of the Holy See on the temporal power.*

As heresy, rightly so called, waxed and grew more and more threatening, and the struggle for its suppression increased in bitterness and took an organized shape under a formidable body of legislation, and as the application of the theory of indulgences gave to the Church an armed militia ready for mobilization without cost whenever it chose to proclaim danger to the faith, the temptation to invoke the fanaticism of Christendom for the defence or extension of its temporal interests inevitably increased in strength. In so far as such a resort can be justified, the Albigensian crusades were justified by a real antagonism of faith which foreboded a division of Christianity, and their success irresistibly led to the application of the same means to cases in which there was not the semblance of a similar excuse. Of these one of the earliest, as well as one of the most typical, was that of the Stedingers.

The Stedingers were a mixed race who had colonized on the lower Weser the lands which their industry won from the overflow of river and sea, their territory extending southward to the neighborhood of Bremen. A rough and semi-barbarous folk, no doubt—hardy herdsmen and fishermen, with perhaps an occasional

* Concil. Lateran. ann. 1102 (Harduin. VI. II. 1861–2).—Epist. Sigebert. (Mart. Ampl. Coll. I. 587–94).—Chron. Casinens. IV. 42, 44. (Cf. Martene Ampl. Coll. I. 627.)—Hartzheim III. 258–65.—Martene Ampl. Coll. I. 659.

tendency to piracy in the ages which celebrated the exploits of the Vikings of Jomsburg. They were freemen under the spiritual care of the Archbishops of Bremen, who in return enjoyed their tithes. This tithe question had been immemorially a troublesome one, ever since a tincture of Christianity had overspread those regions. In the eleventh century Adam of Bremen tells us that throughout the archiepiscopate the bishops sold their benedictions and the people were not only abandoned to lust and gluttony, but refused to pay their tithes. The Stedingers were governed by judges of their own choice, administering their own laws, until, about 1187, trouble arose from the attempts of the Counts of Oldenburg to extend their authority over the redeemed marshes and islands, by building a castle or two which should keep the population in check. There were few churches, and, as the parishes were large, the matrons were accustomed to carry their daughters to mass in wagons. The garrisons were in the habit of sallying forth and seizing these women to solace their solitude, till the people arose, captured the castles, slew the garrisons, and dug a ditch across a neck of their territory, leaving only one gate for entrance. John Count of Oldenburg recovered his castles, but after his death the Stedingers reasserted their independence. Among their rights they included the non-payment of tithes, and they treated with contumely the priests sent to compel their obedience. They strengthened their defences, and their freedom from feudal and ecclesiastical tyranny attracted to them refugees from all the neighboring lands. Hartwig, Archbishop of Bremen, when on his way to the Holy Land in 1197, is said to have asked Celestin III. to preach a crusade against them as heretics, but this is evidently an error, for the Albigensian wars had not as yet suggested the employment of such methods. Matters became more embroiled when some monks who ventured to inculcate upon the peasants the duty of tithe-paying were martyred. Still worse was it when a priest, irritated at the smallness of an oblation offered at Easter by a woman of condition, in derision slipped into her mouth the coin in place of the Eucharist. Unable to swallow it, and fearing to commit sacrilege, the woman kept it in her mouth till her return home, when she ejected it in some clean linen and discovered the trick. Enraged at this insult her husband slew the priest, and thus increased the general ferment. After his return Hartwig en-

deavored, in 1207, to reduce the recalcitrant population, but without success, except to get some money.*

Yet the Stedingers were welcomed as fully orthodox when their aid was wanted in the struggle which raged from 1208 till 1217, between the rival archbishops of Bremen, first between Waldemar and Burchard, and then between Waldemar and Gerhardt. Ranged at first on the side of Waldemar, after the triumph of Frederic II. over Otho their defection to Gerhardt was decisive, and in 1217 the latter obtained his archiepiscopal seat, where he held his allies in high favor until his death in 1219. He was succeeded by Gerhardt II., of the House of Lippe, a warlike prelate who endeavored to overthrow the liberties of Bremen itself, and to levy tolls on all the commerce of the Weser. The Stedinger tithes were not likely to escape his attention. Other distractions, including a war with the King of Denmark and strife with the recalcitrant citizens of Bremen, prevented any immediate effort to subjugate the Stedingers, but at length his hands were free. His brother, Hermann Count of Lippe, came to his assistance with other nobles, for the independence of the Weser peasant-folk was of evil import to the neighboring feudal lords. To take advantage of the ice in those watery regions the expedition set forth in December, 1229, under the leadership of the count and the archbishop. The Stedingers resisted valiantly. On Christmas Day a battle was fought in which Count Hermann was slain and the crusaders put to flight. To celebrate the triumph the victors in derision appointed mock officials, styling one emperor, another pope, and others archbishops and bishops, and these issued letters under these titles—a sorry jest, which when duly magnified represented them as rebels against all temporal and spiritual authority.†

* Schumacher, Die Stedinger, Bremen, 1865, pp. 26–8.—Adam. Bremens. Gest. Pontif. Hammaburg. c. 208.—Chron. Erfordiens. ann. 1230 (Schannat Vindem. Litt. I. 93).—Chron. Rastedens. (Meibom. Rer. Germ. II. 101).—Albert. Stadens. Chron. ann. 1207 (Schilt. S. R. Germ. I. 299).—Joan. Otton. Cat. Archiepp. Bremens. ann. 1207 (Menken. S. R. Germ. II. 791).

† Albert. Stadens. Chron. ann. 1208–17, 1230.—Joan. Otton. Cat. Archiepp. Bremens. ann. 1211–20.—Anon. Saxon. Hist. Impp. ann. 1229 (Menken. III. 125).—Chron. Rastedens. (Meibom. II. 101).

There is considerable confusion among the authorities with regard to these events. I have followed the careful investigations of Schumacher, op. cit. pp. 219–23.

It was evident that some more potent means must be found to overcome the indomitable peasantry, and the device adopted was suggested by the success, in 1230, of the crusade preached by Wilbrand, Bishop of Utrecht, against the free Frisians in revenge for their slaying his predecessor Otho, a brother of Archbishop Gerhardt, and imprisoning his other brother, Dietrich, Provost of Deventer, after their victory of Coevorden. It was scarce possible not to follow this example. At a synod held in Bremen in 1230, the Stedingers were put to the ban as the vilest of heretics, who treated the Eucharist with contempt too horrible for description, who sought responses from wise-women, made waxen images, and wrought many other works of darkness.*

Doubtless there were remnants of pagan superstition in Steding, such as we shall hereafter see existing throughout many parts of Christendom, which served as a foundation for these accusations, but that in fact there were no religious principles involved, and that the questions at issue were purely political, is indicated by the praise which Frederic II., in an epistle dated June 14, 1230, bestows on the Stedingers for the aid which they had rendered to a house of the Teutonic Knights, and his exhortation that they should continue to protect it. We learn, moreover, that everywhere the peasantry openly favored them and joined them when opportunity permitted. It was simply an episode in the extension of feudalism and sacerdotalism. The scattered remains of the old Teutonic tribal independence were to be crushed, and the combined powers of Church and State were summoned to the task. How readily such accusations could be imposed on the credulity of the people we have seen from the operations of Conrad of Marburg, and the stories to which he gave currency of far-pervading secret rites of demon-worship. Yet the preliminaries of a crusade consumed time, and during 1231 and 1233 Archbishop Gerhardt had all he could do to withstand the assaults of the victorious peasants, who twice captured and destroyed the castle of Schlütter, which he had rebuilt to protect his territories from their incursions; he sought support in Rome, and in October, 1232, after ordering an investigation of the heresy by the Bishops of Lubeck, Ratzeburg, and Minden, Gregory IX. came to

* Emonis Chron. ann. 1227, 1230 (Matthæi Analecta III. 128, 132).—Schumacher, p. 81.

his aid with bulls addressed to the Bishops of Minden, Lubeck, and Verden, ordering them to preach the cross against the rebels. In these there is nothing said about tithes, but the Stedingers are described as heretics of the worst description, who deny God, worship demons, consult seeresses, abuse the sacrament, make wax figurines to destroy their enemies, and commit the foulest excesses on the clergy, sometimes nailing priests to the wall with arms and legs spread out, in derision of the Crucified. Gregory's long pontificate was devoted to two paramount objects—the destruction of Frederic II. and the suppression of heresy. The very name of heretic seemed to awake in him a wrath which deprived him of all reasoning powers, and he threw himself into the contest with the unhappy peasants of the Weser marshes as unreservedly as he did into that which Conrad of Marburg was contemporaneously waging with the powers of darkness in the Rhinelands. In January, 1233, he wrote to the Bishops of Paderborn, Hildesheim, Verden, Münster, and Osnabrück, ordering them to assist their brethren of Ratzeburg, Minden, and Lubeck, whom he had commissioned to preach a crusade, with full pardons, against the heretics called Stedingers, who were destroying the faithful people of those regions. An army had meanwhile been collected which accomplished nothing during the winter against the steadfast resolution of the peasants, and dispersed on the expiration of its short term of service. In a papal epistle of June 17, 1233, to the Bishops of Minden, Lubeck, and Ratzeburg, this lack of success is represented as resulting from a mistaken belief on the part of the crusaders that they were not getting the same indulgences as those granted for the Holy Land, leading them to withdraw after gaining decisive advantages. The bishops are therefore ordered to preach a new crusade in which there shall be no error as to the pardons to be earned, unless meanwhile the Stedingers shall submit to the archbishop and abandon their heresies. Already, however, another band of crusaders had been organized, which, towards the end of June, 1233, penetrated eastern Steding, on the right bank of the Weser. This district had hitherto kept aloof from the strife, and was defenceless. The crusaders devastated the land with fire and sword, slaying without distinction of age or sex, and manifesting their religious zeal by burning all the men who were captured. The crusade came to an inglorious end, however; for, encouraged

by its easy success, Count Burchard of Oldenburg, its leader, was emboldened to attack the fortified lands on the west bank, when he and some two hundred crusaders were slain and the rest were glad to escape with their lives.*

Matters were evidently growing serious. The success of the Stedingers in battling for the maintenance of their independence was awakening an uneasy feeling among the populations, and the feudal nobles were no less interested than the prelates in subduing what might prove to be the nucleus of a dangerous and far-reaching revolt. The third crusade was therefore preached with additional energy over a wider circle than before, and preparations were made for an expedition in 1234 on a scale to crush all resistance. Dominicans spread like a cloud over Holland, Flanders, Brabant, Westphalia, and the Rhinelands, summoning the faithful to defend religion. In Friesland they had little success, for the population sympathized with their kindred and were rather disposed to maltreat the preachers, but elsewhere their labors were abundantly rewarded. Bulls of February 11 take under papal protection the territories of Henry Raspe of Thuringia, and Otho of Brunswick, who had assumed the cross—the latter, however, only with a view to self-protection, for he was an enemy of Archbishop Gerhardt. The heaviest contingent came from the west, under Hendrik, Duke of Brabant, consisting, it is said, of forty thousand men led by the *preux chevalier*, Florent, Count of Holland, together with Thierry, Count of Cleves, Arnoul of Oudenarde, Rasso of Gavres, Thierry of Dixmunde, Gilbert of Zotteghem, and other nobles, eager to earn salvation and preserve their feudal rights. Three hundred ships from Holland gave assurance that the maritime part of the expedition should not be lacking. Apparently warned by the disastrous outcome of his zeal in the affair of Conrad of Marburg, Gregory at the last moment seems to have felt some misgiving, and in March, 1234, sent to Bishop Guglielmo, his legate in North Germany, orders to endeavor by peaceful means to bring about the reconciliation of the peasants,

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* Hist. Diplom. Frid. II. T. IV. p. 497.—Albert. Stadens. Chron. ann. 1232, 1234.—Raynald. ann. 1232, No. 8.—Hartzheim III. 553.—Joan. Ottonis Cat. Archiepp. Bremens. ann. 1234.—Anon. Saxon. Hist. Imperator. ann. 1229.—Chron. Cornel. Zantfliet ann. 1283.—Epistt. Select. Sæcul. XIII. T. I. No. 539 (Pertz).

but the effort came too late. In April the hosts were already assembling, and the legate did, and probably could do, nothing to avert the final blow. Overwhelming as was the force of the crusaders, the handful of peasants met it with their wonted resolution. At Altenesch, on May 27, they made their stand and resisted with stubborn valor the onslaught of Hendrik of Brabant and Florent of Holland; but, in the vast disparity of numbers, Thierry of Cleves was able to make a flank attack with fresh troops which broke their ranks, when they were slaughtered unsparingly. Six thousand were left dead upon the field, besides those drowned in the Weser in the vain attempt at flight, and we are asked to believe that the divine favor was manifested in that only seven of the crusaders perished. The land now lay defenceless before the soldiers of the Lord, who improved their victory by laying it waste with fire and sword, sparing neither age nor sex. Six centuries later, on May 27, 1834, a monument was solemnly dedicated on the field of Altenesch to the heroes who fell in desperate defence of their land and liberty.*

Bald as was the pretence for this frightful tragedy, the Church assumed all the responsibility and kept up the transparent fiction to the last. When the slaughter and devastation were over, came the solemn farce of reconciling the heretics. As the land had been so long under their control, their dead were buried indistinguishably with the remains of the orthodox, so, November 28, 1234, Gregory graciously announced that the necessity of exhumation would be waived in view of the impossibility of separating the one from the other, but that all cemeteries must be consecrated anew to overcome the pollution of the heretic bodies within them. Considerable time must have been consumed in the settlement of all details, for it is not until August, 1236, that Gregory writes to the archbishop that, as the Stedingers have abandoned their rebellion and humbly supplicated for reconciliation, he is

* Emonis Chron. ann. 1234 (Matthæi Analecta III. 139 sqq.).—Potthast No. 9399, 9400.—Epistt. Select. Sæcul. XIII. T. I. No. 672.—Meyeri Annal. Flandr. Lib. VIII. ann. 1233.—Chron. Cornel. Zantfliet ann. 1234.—Schumacher, pp. 116-17.—Chron. Erfordiens. ann. 1232.—Sachsische Weltchronik No. 376-8.—H. Wolteri Chron. Bremens. (Meibom. Rer. Germ. II. 58-9).—Chron. Rastedens. (Ib. II. 101).—Joan Otton. Cat. Archiepp. Bremens. ann. 1234.—Albert. Stadens. ann. 1234.—Anon. Saxon. Hist. Imperator. ann. 1229.

authorized to reconcile them on receiving proper security that they will be obedient for the future and make proper amends for the past. In this closing act of the bloody drama it is noteworthy that there is no allusion to any of the specific heresies which had been alleged as a reason for the extermination of the heretics. Perhaps the breaking of Conrad of Marburg's bubble had shown the falsity of the charges, but whether this were so or not those charges had been wholly supererogatory except as a means of exciting popular animosity. Disobedience to the Church was sufficient; resistance to its claims was heresy, punishable here and hereafter with all the penalties of the temporal and spiritual swords.*

It is not to be supposed that Gregory neglected to employ in his own interest the moral and material forces which he had thus put at the disposal of Gerhardt of Bremen. When, in 1238, he became involved in a quarrel with the Viterbians and their leader Aldobrandini, he commuted the vow of the Podestà of Spoleto to serve in Palestine into service against Viterbo, and he freely offered Holy Land indulgences to all who would enlist under his banner. In 1241 he formally declared the cause of the Church to be more important than that of Palestine, when, being in want of funds to carry on his contest with Frederic II., he ordered that crusaders be induced to commute their vows for money, while still receiving full indulgences, or else be persuaded to turn their arms against Frederic in the crusade which he had caused to be preached against him. Innocent IV. pursued the same policy when he had set up a rival emperor in the person of William of Holland, and a crusade was preached in 1248 for a special expedition to Aix-la-Chapelle, of which the capture was necessary in order to his coronation, and vows for Palestine were redeemed that the money should be handed over to him. After Frederic's death his son Conrad IV. was the object of similar measures, and all who bore arms in his favor against William of Holland were the subject of papal anathemas. To maintain the Italian interests of the

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* Potthast No. 9777.—Hartzheim III. 554.

As the contemporary Abbot Emo of Wittewerum says, in describing the affair—"principalior causa fuit inobedientia, quæ scelere idololatriæ non est inferior" (Matthæi Analect. III. 142).

papacy, men slaughtered each other in holy wars all over Europe. The disastrous expedition to Aragon which cost Philippe le Hardi his life in 1284 was a crusade preached by order of Martin IV. to aid Charles of Anjou, and to punish Pedro III. for his conquest of Sicily after the Sicilian Vespers.*

With the systematization of the laws against heresy and the organization of the Inquisition, proceedings of this nature assume a more regular shape, especially in Italy. It was in their character as Italian princes that the popes found the supreme utility of the Holy Office. Frederic II. had been forced to pay for his coronation not only by the edict of persecution, but by the confirmation of the grant of the Countess Matilda. Papal ambition thus stimulated aspired to the domination of the whole of Italy, and for this the way seemed open with the death of Frederic in 1250, followed by that of Conrad in 1254. When the hated Suabians passed away, the unification of Italy under the triple crown seemed at hand, and Innocent IV., before his death in December, 1254, had the supreme satisfaction of lording it in Naples, the most powerful pope that the Holy See had known. Yet the nobles and cities were as unwilling to subject themselves to the Innocents and Alexanders as to the Frederics, and the turbulent factions of Guelf and Ghibelline maintained the civil strife in every corner of central and upper Italy. To the papal policy it was an invaluable assistance to have the power of placing in every town of importance an inquisitor whose devotion to Rome was unquestioned, whose person was inviolable, and who was authorized to compel the submissive assistance of the secular arm under terror of a prosecution for heresy in the case of slack obedience. Such an agent could cope with podestà and bishop, and even an unruly populace rarely ventured a resort to temporary violence. The statutes of the republics, as we have seen, were modified and moulded to adapt them to the fullest development of the new power, under the excuse of facilitating the extermination of heresy, and the Holy Office became the ultimate expression of the serviceable devotion of the Mendicant Orders to the Holy See. From this point of view we are able to appreciate the full signifi-

* Epistt. Selectt. Sæc. XIII. T. I. No. 720, 801.—Berger, Registres d'Innocent IV. No. 4181, 4265, 4269.—Ripoll I. 219, 225.—Vaissette, IV. 46.

cance of the terrible bulls *Ad extirpanda*, described in a previous chapter.

It was possibly with a view thus to utilize the force of both Orders that the Inquisitions of northern and central Italy were divided between them, and their respective provinces permanently assigned to each. Nor perhaps would we err in recognizing an object in the assignment to the Dominicans, who were regarded as sterner and more vigorous than their rivals, of the province of Lombardy, which not only was the hot-bed of heresy, but which retained some recollections of the ancient independence of the Ambrosian Church, and was more susceptible to imperial influences from Germany.

With the development of the laws against heresy, and the organization of special tribunals for the application of those laws, it was soon perceived that an accusation of heresy was a peculiarly easy and efficient method of attacking a political enemy. No charge was easier to bring, none so difficult to disprove—in fact, from what we have seen of the procedure of the Inquisition, there was none in which acquittal was so absolutely impossible where the tribunal was desirous of condemnation. When employed politically the accused had the naked alternative of submission or of armed resistance. No crime, moreover, according to the accepted legal doctrines of the age, carried with it a penalty so severe for a potentate who was above all other laws. Besides, the procedure of the Inquisition required that when a suspected heretic was summoned to trial, his first step was humbly to swear to stand to the mandates of the Church, and perform whatever penance it should see fit to impose in case he failed to clear himself of the suspicion. Thus an immense advantage was gained over a political enemy by merely citing him to appear, when he was obliged either to submit himself in advance to any terms that might be dictated to him, or, by refusing to appear, expose himself to condemnation for contumacy with its tremendous temporal consequences.

It mattered little what were the grounds on which a charge of heresy was based. In the intricate intrigues and factional strife which seethed and boiled in every Italian city, there could be no lack of excuse for setting the machinery of the Inquisition in motion whenever there was an object to be attained. With the

organization of the Hildebrandine theocracy the heretical character of simple disobedience, which had been implied rather than expressed, came to be distinctly formulated. Thomas Aquinas did not shrink from proving that resistance to the authority of the Roman Church was heretical. By embodying in the canon law the bull *Unam Sanctam* the Church accepted the definition of Boniface VIII. that whoever resists the power lodged by God in the Church resists God, unless, like a Manichæan, he believes in two principles, which shows him to be a heretic. If the supreme spiritual power errs, it is to be judged of God alone; there is no earthly appeal. "We say, declare, define, and pronounce that it is necessary to salvation that every human creature be subjected to the Roman pontiff." Inquisitors, therefore, were fully justified in laying it down as an accepted principle of law that disobedience to any command of the Holy See was heresy; so was any attempt to deprive the Roman Church of any privilege which it saw fit to claim. As a corollary to this was the declaration that inquisitors had power to levy war against heretics and to give it the character of a crusade by granting all the indulgences offered for the succor of the Holy Land. Armed with such powers, it would be difficult to exaggerate the importance of the Inquisition as a political instrument.*

Incidental allusion has been made above to the application of these methods in the cases of Ezzelin da Romano and Uberto Pallavicino, and we have seen their efficacy even in the tumultuous lawlessness of the period as one of the factors in the ruin of those powerful chiefs. When the crusade against Ezzelin was preached in the north of Europe he was represented to the people simply as a powerful heretic who was persecuting the faith. Even more conspicuous was the application of this principle in the great

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* Th. Aquinat. Sec. Sec. Q. 11, No. 2–3.—C. 1, Extrav. Commun. I. 8.—Zanchini Tract. de Hæret. c. ii., xxxvii.

It was probably as a derivative from the sanctity of the power of the Holy See that the Inquisition was given jurisdiction over the forgers and falsifiers of papal bulls—gentry whose industry we have seen to be one of the inevitable consequences of the autocracy of Rome. Letters under which Frà Grimaldo da Prato, Inquisitor of Tuscany in 1297, was directed to act in certain cases of the kind are printed by Amati in the Archivio Storico Italiano, No. 38, p. 6.

struggle on which all the rest depended, which in fact decided the destiny of the whole peninsula. The destruction of Manfred was an actual necessity to the success of the papal policy, and for years the Church sought throughout Europe a champion who could be allured by the promise of an earthly crown and assured salvation. In 1255 Alexander IV. authorized his legate, Rustand, Bishop of Bologna, to release Henry III. of England from his crusader's vow if he would turn his arms against Manfred, and the bribe of the Sicilian throne was offered to Henry's son, Edmund of Lancaster. When Rustand preached the crusade against Manfred and offered the same indulgences as for the Holy Land the ignorant islanders wondered greatly at learning that the same pardons could be earned for shedding Christian blood as for that of the infidel. They did not understand that Manfred was necessarily a heretic, and that, as Alexander soon afterwards declared to Rainerio Saccone, it was more important to defend the faith at home than in foreign lands. In 1264, when Alphonse of Poitiers was projecting a crusade, Urban IV. urged him to change his purpose and assail Manfred. Finally, when Charles of Anjou was induced to strive for the glittering prize, all the enginery of the Church was exerted to raise for him an army of crusaders with a lavish distribution of the treasures of salvation. The shrewd lawyer, Clement IV., seconded and justified the appeal to arms by a formal trial for heresy. Just as the crusade was bursting upon him, Clement was summoning him to present himself for trial as a suspected heretic. The term assigned to him was February 2, 1266; Manfred had more pressing cares at the moment, and contented himself with sending procurators to offer purgation for him. As he did not appear personally, Clement, on February 21, called upon the consistory to declare him condemned as a contumacious heretic, arguing that his excuse that the enemy were upon him was invalid, since he had only to give up his kingdom to avert attack. As but five days after this, on February 26, Manfred fell upon the disastrous field of Benevento, the legal proceedings had no influence on the result, yet none the less do they serve to show the spirit in which Rome administered against its political opponents the laws which it had enacted against heresy.*

* Th. Cantimpratens. Bonum universale, Lib. II. c. 2.—Matt. Paris ann. 1255

This was the virtual destruction of the imperial power in Italy. With the Angevines on the throne of Naples and the empire nullified by the Great Interregnum and its consequences, the popes had ample opportunity to employ the penalties for heresy to gratify hatred or to extend their power. How they used the weapon for the one purpose is seen when Boniface VIII. quarrelled with the Colonnas and condemned them as heretics, driving the whole family out of Italy, tearing down their houses and destroying their property; though after Sciarra Colonna vindicated his orthodoxy by capturing and causing the death of Boniface at Anagni, Benedict XI. made haste to reverse the sentence, except as to confiscation.* How the principle worked when applied to temporal aggrandizement may be estimated from the attempt of Clement V. to gain possession of Ferrara. When the Marchese Azzo d' Este died, in 1308, he left no legitimate heirs, and the Bishop of Ferrara was Frà Guido Maltraverso, the former inquisitor who had succeeded in burning the bones of Armanno Pongilupo. He forthwith commenced intriguing to secure the city for the Holy See, which had some shadowy claims arising under the donations of Charlemagne. Clement V. eagerly grasped at the opportunity. He pronounced the rights of the Church unquestionable, and condoled with the Ferrarese on their having been so long deprived of the sweetness of clerical rule and subjected to those who devoured them. There were two pretenders, Azzo's brother Francesco and his natural son Frisco. The Ferrarese desired neither; they even

(p. 614).—Ripoll I. 326.—Raynald. ann. 1264, No. 14.—Arch. de l'Inq. de Carcassonne (Doat, XXXII. 27).

Clement IV. (Gui Foucoix) was regarded as one of the best lawyers of his day, but in the severity of his application of the law against Manfred he was not unanimously supported by the cardinals. On February 20 he writes to the Cardinal of S. Martino, his legate in the Mark of Ancona, for his opinion on the question. Manfred and Uberto Pallavicino had both been cited to appear on trial for heresy. Manfred had sent procurators to offer purgation, but Uberto had disregarded the summons and was a contumacious heretic. To the condemnation of the latter there was therefore no opposition, but some cardinals thought that Manfred's excuse was reasonable in view of the enemy at his gates, even though he could easily avert attack by surrender.—Clement PP. IV. Epist. 232 (Martene Thesaur. II. 279).

* C. 1, Sexto v. 3.—C. 1, Extrav. Commun. v. 4.

manifested a disregard for the blessings promised them by Clement and proclaimed a republic. Frisco sought the aid of the Venetians, while Francesco secured the support of the Church. Frisco obtained possession, but fled when Francesco advanced with the papal legate, Arnaldo di Pelagrua, who assumed the domination of the city—as a contemporary chronicler observes, Francesco had no reason to be disappointed, for ecclesiastics always act like rapacious wolves. Then, with the aid of the Venetians, Frisco regained possession, and peace was made in December, 1308. This was but the commencement of the struggle for the unhappy citizens. In 1309 Clement proclaimed a crusade against the Venetians. March 7 he issued a bull casting an interdict over Venice with confiscation of all its possessions, excommunicating the doge, the senate, and all the gentlemen of the republic, and offering Venetians to slavery throughout the world. As their ships sailed to every port, many Venetian merchants were reduced to servitude throughout Christendom. The legate assiduously preached the crusade, and all the bishops of the region assembled at Bologna with such forces as they could raise. Multitudes took the cross to gain the indulgence, Bologna alone furnishing eight thousand troops, and the legate advanced with an overwhelming army. After severe fighting the Venetians were defeated with such slaughter that the legate, to avert a pestilence, offered an indulgence to every man who would bury a dead body, and the fugitives drowned in the Po were so numerous that the water was corrupted and rendered unfit to drink. All the prisoners taken he blinded and sent to Venice, and on entering the city he hanged all the adherents of Frisco. Appointing a governor in the name of the Church, he returned to Avignon and was splendidly rewarded for his services in the cause of Christ, while Clement unctuously congratulated the Ferrarese on their return to the sweet bosom of the Church, and declared that no one could, without sighs and tears, reflect upon their miseries and afflictions under their native rulers. In spite of this the ungrateful people, chafing under the foreign domination, arose in 1310 and massacred the papalists. Then the legate returned with a Bolognese force, regained possession and hanged the rebels, with the exception of one, who bought off his life. Fresh tumults occurred, with bloody reprisals and frightful atrocities on both sides until, in 1314, Clem-

ent, wearied with his prize, made it over to Sancha, wife of Robert of Naples. The Catalan garrison excited the hatred of the people, who in 1317 invited Azzo, son of Francesco, to come to their relief. After a stubborn resistance the Catalans surrendered on promise of life, but the fury of the people would not be restrained, and they were slain to the last man. From this brief episode in the history of an Italian city we can conceive what was the influence of papal ambition stimulated by the facility with which its opponents could be condemned as heretics and armies be raised at will to defend the faith.*

John XXII. was not a pope to allow the spiritual sword to rust in the sheath, and we have seen incidentally the use which he made of the charge of heresy in his mortal combat with Louis of Bavaria. Still more characteristic were his proceedings against the Visconti of Milan. On his accession in August, 1316, his first thought was to unite Italy under his overlordship, and to keep the empire beyond the Alps, for which the contested election of Louis of Bavaria and Frederic of Austria seemed to offer full opportunity. Early in December he despatched Bernard Gui, the Inquisitor of Toulouse, and Bertrand, Franciscan Minister of Aquitaine, as nuncios to effect that purpose. Neither Guelfs nor Ghibellines were inclined to accept his views—the Ferrarese troubles, not as yet concluded, were full of pregnant warnings. Especially

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Barbarano de' Mironi, Hist. Eccles. di Vicenza II. 153–4.—Regest. Clement. PP. V. T. III. pp. 354 sqq.; T. IV. pp. 426 sqq., pp. 459 sqq.; T. V. p. 412. (Ed. Benedictin., Romæ, 1886–7).—Chron. Estense ann. 1309–17 (Muratori S. R. I. XV. 364–82).—Ferreti Vincentini Hist. Lib. III. (Ib. IX. 1037–47).—Cronica di Bologna, ann. 1309–10 (Ib. XVIII. 320–1).—Campi, Dell' Histor. Eccles. di Ferrara, P. III. p. 40.

Even the pious and temperate Muratori cannot restrain himself from describing Clement's bull against the Venetians as "*la piu terribile ed ingiusta Bolla che si sia mai udita*" (Annal. ann. 1309). We have seen in the case of Florence what control such measures enabled the papacy to exercise over the commercial republics of Italy. The confiscation threatened in the sentence of excommunication was no idle menace. When, in 1281, Martin IV. quarrelled with the city of Forli and excommunicated it he ordered, under pain of excommunication not removable even on the death-bed, all who owed money to the citizens to declare the debts to his representatives and pay them over, and he thus collected many thousand lire of his enemies' substance.—Chron. Parmens. ann. 1281 (Muratori S. R. I. IX. 797)

recalcitrant were the three Ghibelline chiefs of Lombardy, Matteo Visconti, known as the Great, who ruled over the greater part of the region and still retained the title of Imperial Vicar bestowed on him by Henry VII., Cane della Scala, Lord of Verona, and Passerino of Mantua. They received his envoys with all due honor, but found excuses for evading his commands. In March, 1317, John issued a bull in which he declared that all the imperial appointments had lapsed on the death of Henry, that until his successor had received the papal approval all the power of the empire vested in the Holy See, and that whoever presumed to exercise those powers without permission was guilty of treason to the Church. Papal imperiousness on one side and Ghibelline stubbornness on the other rendered a rupture inevitable. It is not our province to trace the intricate maze of diplomatic intrigue and military activity which followed, with the balance of success preponderating decidedly in favor of the Ghibellines. April 6, 1318, came a bull decreeing excommunication on Matteo, Cane, Passerino, and all who refused obedience. This was speedily followed by formal monitions and citations to trial on charges of heresy, Matteo and his sons being the chief objects of persecution. It was not difficult to find materials for these, furnished by refugees from Milan at the papal court—Bonifacio di Farra, Lorenzo Gallini, and others. The Visconti were accused of erring in the faith, especially as to the resurrection, of invoking the devil, with whom they had compacts, of protecting Guglielma; they were fautors of heretics and impeders of the Inquisition; they had robbed churches, violated nuns, and tortured and slain priests. The Visconti remained contumaciously absent and were duly condemned as heretics. Matteo summoned a conference of the Ghibelline chiefs at Soncino, which treated the action of the pope as an effort to resuscitate the failing cause of the Guelfs. A Ghibelline league was formed with Can Grande della Scala as captain of its forces. To meet this John called in the aid of France, appointed Philippe de Valois Imperial Vicar, and procured a French invasion which proved bootless. Then he sent his son or nephew, Cardinal Bertrand de Poyet as legate, with the title of "pacifier," at the head of a crusading army raised by a lavish distribution of indulgences. As Petrarch says, he assailed Milan as though it were an infidel city, like Memphis or Damascus, and Poyet, whose ferocity was a proof of his paternity,

came not as an apostle, but as a robber. A devastating war ensued, with little advantage to the papalists, but the spiritual sword proved more effective than the temporal. May 26, 1321, the sentence of condemnation was solemnly promulgated in the Church of San Stefano at Bassegnano, and was repeated by the inquisitors March 14, 1322, at Valenza.*

Strange as it may seem, these proceedings appear to have had a decisive influence on public opinion. It is true that when, in the seventeenth century, Paolo Sarpi alluded to these transactions and assumed that Matteo's only crime was his adherence to Louis of Bavaria, Cardinal Albizio admitted the fact, and argued that those who adhered to a schismatic and heretic emperor, and disregarded the censures of the Church, rendered themselves suspect of heresy and became formal heretics. Yet this was not the impression at the time, and John had recognized that something more was required than such a charge of mere technical heresy. The Continuation of Nangis, which reflects with fidelity the current of popular thought, recounts the sins of Matteo and his sons, described in the papal sentence, as a new heresy arisen in Lombardy, and the papalist military operations as a righteous crusade for its suppression. Although this was naturally a French view of the matter, it was not confined to France. In Lombardy Matteo's friends were discouraged and his enemies took fresh heart. A peace party speedily formed itself in Milan, and the question was openly asked whether the whole region should be sacrificed for the sake of one man. In spite of Matteo's success in buying off Frederic of Austria, whom John had bribed with gold and promises to intervene with an army, the situation grew untenable even for his seasoned nerves. It is, perhaps, worthy of mention that Francesco Garbagnate, the old Guglielmite, association with whom was one of the proofs of heresy alleged against Matteo, was one of the efficient

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* Preger, Die Politik des Pabstes Johann XXII., München, 1885, pp. 6–10, 21.—Petrarchi Lib. sine Titulo Epist. xviii.—Raynald. ann. 1317, No. 27; ann. 1320, No. 10–14; ann. 1322, No. 6–8, 11.—Bernard. Corio, Hist. Milanese, ann. 1318, 1320, 1321–22.

A bull of John XXII., Jan. 23, 1322, ordering the sale of indulgences to aid the crusade of Cardinal Bertrand, recites the heresy of Visconti and his refusal to obey the summons for his trial as the reason for assailing him.—Regest. Clem. PP. V., Romæ, 1885, T. I. Prolegom. p. cxcviii.

agents in procuring his downfall, for Matteo had estranged him by refusing him the captaincy of the Milanese militia. Matteo sent to the legate to beg for terms, and was told that nothing short of abdication would be listened to; he consulted the citizens and was given to understand that Milan would not expose itself to ruin for his sake. He yielded to the storm—perhaps his seventy-two years had somewhat weakened his powers of resistance—he sent for his son Galeazzo, with whom he had quarrelled, and resigned to him his power, with an expression of regret that his quarrel with the Church had made the citizens his enemies. From that time forth he devoted himself to visiting the churches. In the Chiesa Maggiore he assembled the clergy, recited the Symbol in a loud voice, crying that it had been his faith during life, and that any assertion to the contrary was false, and of this he caused a public instrument to be drawn up. Departing thence like to one crazed, he hastened to Monza to visit the Church of S. Giovanni Battista, where he was taken sick and was brought back to the Monastery of Cresconzago, and died within three days, on June 27, to be thrust into unconsecrated ground. The Church might well boast that its ban had broken the spirit of the greatest Italian of the age.*

The younger Visconti—Galeazzo, Lucchino, Marco, Giovanni, and Stefano—were not so impressionable, and rapidly concentrated the Ghibelline forces which seemed to be breaking in pieces. To give them their *coup de grâce*, the pope, December 23, 1322, ordered Aicardo, the Archbishop of Milan, and the Inquisition to proceed against the memory of Matteo. January 13, 1323, from the safe retreat of Asti, Aicardo and three inquisitors, Pace da Vedano, Giordano da Montecucho, and Honesto da Pavia, cited him for appearance on February 25, in the Church of Santa Maria at Borgo, near Alessandria, to be tried and judged, whether present or not, and this citation they affixed on the portals of Santa Maria and of the cathedral of Alessandria. On the appointed day they were there, but a military demonstration of Marco Visconti disturbed them, to the prejudice of the faith and impeding of the

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* Sarpi, Discorso, p. 25 (Ed. Helmstadt). — Albizio, Risposto al P. Paolo Sarpi, p. 75.—Continuat. Guill. Nangiac. ann. 1317.—Bern. Corio, ann. 1322.—Regest. Joann. PP. XXII. No. 89, 93, 94, 95 (Harduin. VII. 1432).

Inquisition. Transferring themselves to the securer walls of Valenza, they heard witnesses and collected testimony, and on March 14 they condemned Matteo as a defiant and unrepentant heretic. He had imposed taxes on the churches and collected them by violence; he had forcibly installed his creatures as superiors in monasteries and his concubines in nunneries; he had imprisoned ecclesiastics and tortured them—some had died in prison and others still lingered there; he had expelled prelates and seized their lands; he had prevented the transmission of money to the papal camera, even sums collected for the Holy Land; he had intercepted and opened letters between the pope and the legates; he had attacked and slain crusaders assembled in Milan for the Holy Land; he had disregarded excommunication, thus showing that he erred in the faith as to the sacraments and the power of the keys; he had prevented the interdict laid upon Milan from being observed; he had obstructed prelates from holding synods and visiting their dioceses, thus favoring heresies and scandals; his enormous crimes show that he is an offshoot of heresy, his ancestors having been suspect and some of them burned, and he has for officials and confidants heretics, such as Francesco Garbagnate, on whom crosses had been imposed; he has expelled the Inquisition from Florence and impeded it for several years; he interposed in favor of Maifreda who was burned; he is an invoker of demons, seeking from them advice and responses; he denies the resurrection of the flesh; he has endured papal excommunication for more than three years, and when cited for examination into his faith he refused to appear. He is, therefore, condemned as a contumacious heretic, all his territories are declared confiscated, he himself deprived of all honors, station, and dignities, and liable to the penalties decreed for heresy, his person to be captured, and his children and grandchildren subjected to the customary disabilities.*

This curious farrago of accusations is worth reciting, as it shows what was regarded as heresy in an opponent of the temporal power of the papacy—that the simplest acts of self-defence against an enemy who was carrying on active war against him were gravely treated as heretical, and constituted valid reasons for inflicting all the tremendous penalties prescribed by the laws for lapses

* Ughelli, Italia Sacra, IV. 286–93 (Ed. 1652).

in faith. Politically, however, the portentous sentence was inoperative. Galeazzo maintained the field, and in February, 1324, inflicted a crushing defeat on the papal troops, the cardinal-legate barely escaping by flight, and his general, Raymondo di Cardona being carried a prisoner to Milan. Fresh comminations were necessary to stimulate the faithful, and March 23 John issued a bull condemning Matteo and his five sons, reciting their evil deeds for the most part in the words of the inquisitorial sentence, though the looseness of the whole incrimination is seen in the omission of the most serious charge of all—that of demon-worship—and the defence of Maifreda is replaced by a statement that Matteo had interfered to save Galeazzo, who was now stated to have been a Guglielmite. The bull concludes by offering Holy Land indulgences to all who would assail the Visconti. This was followed, April 12, by another, reciting that the sons of Matteo had been by competent judges duly convicted and sentenced for heresy, but in spite of this, Berthold of Nyffen, calling himself Imperial Vicar of Lombardy, and other representatives of Louis of Bavaria, had assisted the said heretics in resisting the faithful Catholics who had taken up arms against them. They are therefore allowed two months in which to lay down their pretended offices and submit, as they have rendered themselves excommunicate and subject to all the penalties, spiritual and temporal, of fautorship.*

It is scarce worth while to pursue further the dreary details of these forgotten quarrels, except to indicate that the case of the Visconti was in no sense exceptional, and that the same weapons were employed by John against all who crossed his ambitious schemes. The Inquisitor Accursio of Florence had proceeded in the same way against Castruccio of Lucca, as a fautor of heretics; the inquisitors of the March of Ancona had condemned Guido Malapieri, Bishop of Arezzo, and other Ghibellines for supporting Louis of Bavaria. Frà Lamberto del Cordiglio, Inquisitor of Romagnuola, was ordered to use his utmost exertions to punish those within his district. Louis of Bavaria, in his appeal of 1324, states that the same prosecutions were brought, and sentences for heresy pronounced, against Cane della Scala, Passerino, the Marquises of Montferrat, Saluces, Ceva, and others, the Genoese, the Lucchese,

* Raynald. ann. 1324, No. 7-12.—Martene Thesaur. II. 754-6.

and the cities of Milan, Como, Bergamo, Cremona, Vercelli, Trino, Vailate, Piacenza, Parma, Brescia, Alessandria, Tortona, Albenga, Pisa, Aretino, etc. We have a specimen of Frà Lamberto's operations in a sentence pronounced by him, February 28, 1328, against Bernardino, Count of Cona. He had already condemned for heresy Rainaldo and Oppizo d' Este, in spite of which Bernardino had visited them in Ferrara, had eaten and drunk with them, and was said to have entered into a league with them. For these offences Lamberto summoned him to stand trial before the Inquisition. He duly appeared, and admitted the visit and banquet, but denied the alliance. Lamberto proceeded to take testimony, called an assembly of experts, and in due form pronounced him a fautor of heretics, condemning him, as such, to degradation from his rank and knighthood, and incapacity to hold any honors; his estates were confiscated to the Church, his person was to be seized and delivered to the Cardinal-legate Bertrand or to the Inquisition, and his descendants for two generations were declared incapable of holding any office or benefice. All this was for the greater glory of God, for when, in 1326, John begged the clergy of Ireland to send him money, it was, he said, for the purpose of defending the faith against the heretics of Italy. Yet the Holy See was perfectly ready, when occasion suited, to admit that this wholesale distribution of damnation was a mere prostitution of its control over the salvation of mankind. After the Visconti had been reconciled with the papacy, in 1337, Lucchino, who was anxious to have Christian burial for his father, applied to Benedict XII. to reopen the process. In February of that year, accordingly, Benedict wrote to Pace da Vedano, who had conducted the proceedings against the Visconti and against the citizens of Milan, Novara, Bergamo, Cremona, Como, Vercelli, and other places for adhering to them, and who had been rewarded with the bishopric of Trieste, requiring him to send by Pentecost all the documents concerning the trial. The affair was protracted, doubtless owing to political vicissitudes, but at length, in May, 1341, Benedict took no shame in pronouncing the whole proceedings null and void for irregularity and injustice. Still the same machinery was used against Bernabo Visconti, who was summoned by Innocent VI. to appear at Avignon on March 1, 1363, for trial as a heretic, and as he only sent a procurator, he was promptly condemned by Urban V. on March 3,

and a crusade was preached against him. In 1364 he made his peace, but in 1372 the perennial quarrel broke out afresh, he was excommunicated by Gregory XI., and in January, 1373, he was summoned to stand another trial for heresy on March 28.*

In the same way heresy was the easiest charge to bring against Cola di Rienzo when he disregarded the papal sovereignty over Rome. When he failed to obey the summons to appear he was duly excommunicated for contumacy; the legate Giovanni, Bishop of Spoleto, held an inquisition on him, and in 1350 he was formally declared a heretic. The decision was sent to the Emperor Charles IV., who held him at that time prisoner in Prague, and who dutifully despatched him to Avignon. There, on a first examination, he was condemned to death, but he made his peace, and there appeared to be an opportunity of using him to advantage; he was therefore finally pronounced a good Christian, and was sent back to Rome with a legate.†

The Maffredi of Faenza afford a case very similar to that of the Visconti. In 1345 we find them in high favor with Clement VI. In 1350 they are opposing the papal policy of aggrandizement in Romagnuola. Cited to appear in answer to charges of heresy, they refuse to do so, and in July, 1352, are excommunicated for contumacy. In June, 1354, Innocent VI. recites their persistent endurance of this excommunication, and gives them until October 10 to put in an appearance. On that day he condemns them as contumacious heretics, declares them deprived of all lands and honors, and subject to the canonical and civil penalties of heresy. To execute the sentence was not so easy, but in 1356 Innocent offered Louis, King of Hungary, who had shown his zeal against the Ca-

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* Martene Thesaur. II. 743-5.—Wadding. ann. 1324, No. 28; ann. 1326, No. 8; ann. 1327, No. 2.—Ripoll II. 172; VII. 60.—Regest. Clement. PP. V., Romæ, 1885, T. I. Proleg. p. ccxiii.—Theiner Monument. Hibern. et Scotor. No. 462, p. 234.—C. 4, Septimo v. 3.—Mag. Bull. Rom. I. 204.—Baluz. et Mansi III. 227.—Ughelli IV. 294-5, 314.—Raynald. ann. 1362, No. 13; ann. 1363, No. 2, 4; ann. 1372, No. 1; ann. 1373, No. 10, 12.

In spite of the decision of Benedict, Matteo and his sons, Galeazzo, Marco, and Stefano, were still unburied in 1353, when the remaining brother, Giovanni, made another effort to secure Christian sepulture for them.—Raynald. ann. 1353, No. 28.

† Rayuald. ann. 1348, No. 13-14; ann. 1350, No. 5.—Muratori Antiq. VII. 884, 928-32.

thari of Bosnia, three years' tithe of the Hungarian churches if he would put down those sons of damnation, the Maffredi, who have been sentenced as heretics, and other adversaries of the Church, including the Ordelaffi of Friuli. Frà Fortanerio, Patriarch of Grado, was also commissioned to preach a crusade against them, and succeeded in raising an army under Malatesta of Rimini. The appearance of forty thousand Hungarians in the Tarvisina frightened all Italy; the Maffredi succumbed, and in the same year Innocent ordered their absolution and reconciliation.*

It would be easy to multiply instances, but these will probably suffice to show the use made by the Church of heresy as a political agent, and of the Inquisition as a convenient instrumentality for its application. When the Great Schism arose it was natural that the same methods should be employed by the rival popes against each other. As early as 1382 we find Charles III. of Naples confiscating the property of the Bishop of Trivento, just dead, as that of a heretic because he had adhered to Clement VII. In the commission issued in 1409 by Alexander V. to Pons Feugeyron, as Inquisitor of Provence, the adherents of Gregory XII. and of Benedict XIII. are enumerated among the heretics whom he is to exterminate. It happened that Frère Étienne de Combes, Inquisi-

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* Werunsky Excerptt. ex Registt. Clem. VI. et Innoc. VI. pp. 37, 74, 87, 101.—Wadding. ann. 1356, No. 7, 20.—Raynald. ann. 1356, No. 33.

This abuse of spiritual power for purposes of territorial aggrandizement did not escape the trenchant satire of Erasmus. He describes "the terrible thunderbolt which by a nod will send the souls of mortals to the deepest hell, and which the vicars of Christ discharge with special wrath on those who, instigated by the devil, seek to nibble at the Patrimony of Peter. It is thus they call the cities and territories and revenues for which they fight with fire and sword, spilling much Christian blood, and they believe themselves to be defending like apostles the spouse of Christ, the Church, by driving away those whom they stigmatize as her enemies, as if she could have any worse enemies than impious pontiffs."—Encom. Moriæ. Ed. Lipsiens. 1829, II. 379.

That the character of these papal wars had not been softened since the horrors described above at Ferrara, is seen in the massacre of Cesena, in 1376, when the papal legate, Robert, Cardinal of Geneva, ordered all the inhabitants put to the sword, without distinction of age or sex, after they had admitted him and his bandits into the city under his solemn oath that no injury should be inflicted on them. The number of the slain was estimated at five thousand.—Poggii Hist. Florentin. Lib. II. ann. 1376.

tor of Toulouse, held to the party of Benedict XIII., and he retaliated by imprisoning a number of otherwise unimpeachable Dominicans and Franciscans, including the Provincial of Toulouse and the Prior of Carcassonne, for which the provincial, as soon as he had an opportunity, removed him and appointed a successor, giving rise to no little trouble.*

The manner in which the Inquisition was used as an instrument by the contending factions in the Church is fairly illustrated by the adventures of John Malkaw, of Prussian Strassburg (Brodnitz). He was a secular priest and master of theology, deeply learned, skilful in debate, singularly eloquent, and unflinching even to rashness. Espousing the cause of the Roman popes against their Avignonese rivals with all the enthusiasm of his fiery nature, he came to the Rhinelands in 1390, where his sermons stirred the popular heart and proved an effective agency in the strife. After some severe experiences in Mainz at the hands of the opposite faction, he undertook a pilgrimage to Rome, but tarried at Strassburg, where he found a congenial field. The city had adhered to Urban VI. and his successors, but the bishop, Frederic of Blankenheim, had alienated a portion of his clergy by his oppressions. In the quarrel he excommunicated them; they appealed to Rome and had the excommunication set aside, whereupon he went over, with his following, to Clement VII., the Avignonese antipope, giving rise to inextricable confusion. The situation was exactly suited to Malkaw's temperament; he threw himself into the turmoil, and his fiery eloquence soon threatened to deprive the antipapalists of their preponderance. According to his own statement he quickly won over some sixteen thousand schismatics and neutrals, and the nature of his appeals to the passions of the hour may be guessed by his own report of a sermon in which he denounced Clement VII. as less than a man, as worse than the devil, whose portion was with Antichrist, while his followers were all condemned schismatics and heretics; neutrals, moreover, were the worst of men and were deprived of all sacraments. Besides this he assailed with the same unsparing vehemence the deplorable morals of the Strassburg clergy, both regular and secular, and in a few weeks he

* MSS. Chioccarello T. VIII.—Wadding. ann. 1409, No. 12.—Ripoll II. 510, 522, 566.

thus excited the bitterest hostility. A plot was made to denounce him secretly in Rome as a heretic, so that on his arrival there he might be seized by the Inquisition and burned; his wonderful learning, it was said, could only have been acquired by necromancy; he was accused of being a runaway priest, and it was proposed to arrest him as such, but the people regarded him as an inspired prophet and the project was abandoned. After four weeks of this stormy agitation he resumed his pilgrimage, stopping at Basle and Zurich for missionary work, and finally reached Rome in safety. On his return, in crossing the Pass of St. Bernard, he had the misfortune to lose his papers. News of this reached Basle, and on his arrival there the Mendicants, to whom he was peculiarly obnoxious, demanded of Bishop Imer that he should be arrested as a wanderer without license. The bishop, though belonging to the Roman obedience, yielded, but shortly dismissed him with a friendly caution to return to his home. His dauntless combativeness, however, carried him back to Strassburg, where he again began to preach under the protection of the burgomaster, John Bock. On his previous visit he had been personally threatened by the Dominican inquisitor, Böckeler—the same who in 1400 persecuted the Winkelers—and it was now determined to act with vigor. He had preached but three sermons when he was suddenly arrested, without citation, by the familiars of the inquisitor and thrown in prison, whence he was carried in chains to the episcopal castle of Benfeld and deprived of his book and papers and ink. Sundry examinations followed, in which his rare dexterity scarce enabled him to escape the ingenious efforts to entrap him. Finally, on March 31, 1391, Böckeler summoned an assembly, consisting principally of Mendicants, where he was found guilty of a series of charges, which show how easily the accusation of heresy could be used for the destruction of any man. His real offence was his attacks on the schismatics and on the corruption of the clergy, but nothing of this appears in the articles. It was assumed that he had left his diocese without the consent of his bishop, and this proved him to be a Lollard; that he discharged priestly functions without a license, showing him to be a Vaudois; because his admirers ate what he had already bitten, he was declared to belong to the Brethren of the Free Spirit; because he forbade the discussion as to whether Christ was alive when pierced with the

lance, he was asserted to have taught that doctrine, and, therefore, to be a follower of Jean Pierre Olivi. All this was surely enough to warrant his burning, if he should obstinately refuse to recant, but apparently it was felt that the magistracy would decline to execute the sentence, and the assembly contented itself with referring the matter to the bishop and asking his banishment from the diocese. Nothing further is known of the trial, but as, in 1392, Malkaw is found matriculating himself in the University of Cologne, the bishop probably did as he was asked.

We lose sight of Malkaw until about 1414, when we meet him again in Cologne. He had maintained his loyalty to the Roman obedience, but that obedience had been still further fractioned between Gregory XII. and John XXIII. Malkaw's support of the former was accompanied with the same unsparing denunciation of John as he had formerly bestowed on the Avignonese antipopes. The Johannites were heretics, fit only for the stake. Cologne was as attractive a field for the audacious polemic as the Strassburg of a quarter of a century earlier. Two rival candidates for the archbishopric were vindicating their claims in a bloody civil war, one of them as a supporter of Gregory, the other of John. Malkaw was soon recognized as a man whose eloquence was highly dangerous amid an excitable population, and again the Inquisition took hold of him as a heretic. The inquisitor, Jacob of Soest, a Dominican and professor in the university, seems to have treated him with exceptional leniency, for while the investigation was on foot he was allowed to remain in the St. Ursula quarter, on parole. He broke his word and betook himself to Bacharach, where, under the protection of the Archbishop of Trèves, and of the Palsgrave Louis III., both Gregorians, he maintained the fight with his customary vehemence, assailing the inquisitor and the Johannites, not only in sermons, but in an incessant stream of pamphlets which kept them in a state of indignant alarm. When Cardinal John of Ragusa, Gregory's legate to the Council of Constance, came to Germany, Malkaw had no difficulty in procuring from him absolution from the inquisitorial excommunication, and acquittal of the charge of heresy; and this was confirmed when on healing the schism the council, in July, 1415, declared null and void all prosecutions and sentences arising from it. Still, the wounded pride of the inquisitor and of the University

of Cologne refused to be placated, and for a year they continued to seek from the Council the condemnation of their enemy. Their deputies, however, warned them that the prosecution would be prolonged, difficult, and costly, and they finally came to the resolution that the action of the Cardinal of Ragusa should be regarded as binding, so long as Malkaw kept away from the territory of Cologne, but should be disregarded if he ventured to return—a very sensible, if somewhat illogical, conclusion. The obstinacy with which Gregory XIII. and Clement VIII. maintained their position after the decision of the Council of Constance prolonged the struggle in southwestern Europe, and as late as 1428 the remnants of their adherents in Languedoc were proceeded against as heretics by a special papal commissioner.*

When the schism was past the Inquisition could still be utilized to quell insubordination. Thomas Connecte, a Carmelite of Britanny, seems to have been a character somewhat akin to John Malkaw. In 1428 we hear of him in Flanders, Artois, Picardy, and the neighboring provinces, preaching to crowds of fifteen or twenty thousand souls, denouncing the prevalent vices of the time. The *hennins*, or tall head-dresses worn by women of rank, were the object of special vituperation, and he used to give boys certain days of pardon for following ladies thus attired, and crying "*au hennin*," or even slyly pulling them off. Moved by the eloquence of his sermons, great piles would be made of dice, tables, chess-boards, cards, nine-pins, head-dresses, and other matters of vice and luxury, which were duly burned. The chief source, however, of the immense popular favor which he enjoyed was his bitter lashing of the corruption of all ranks of the clergy, particularly their public concubinage, which won him great applause and honor. He seems to have reached the conclusion that the only cure for this universal sin was the restoration of clerical marriage. In 1432 he went to Rome in the train of the Venetian ambassadors, to declaim against the vices of the curia. Usually there was a good-natured indifference to these attacks—a toleration born of contempt—but the moment was unpropitious. The Hussite heresy had commenced in similar wise, and its persistence was a warning

* H. Haupt, Zeitschrift für Kirchengeschichte, 1888, pp. 323 sqq.—Vaissette, Ed. Privat, X. Pr. 2089.

not to be disregarded. Besides, at that time Eugenius IV. was engaged in a losing struggle with the Council of Basle, which was bent on reforming the curia, in obedience to the universal demand of Christendom, and Sigismund's envoys were representing to Eugenius, with more strength than courtliness, the disastrous results to be expected from his efforts to prorogue the council. Connecte might well be suspected of being an emissary of the fathers of Basle, or, if not, his eloquence at least was a dangerous element in the perturbed state of public opinion. Twice Eugenius sent for him, but he refused to come, pretending to be sick; then the papal treasurer was sent to fetch him, but on his appearing Thomas jumped out of the window and attempted to escape. He was promptly secured and carried before Eugenius, who commissioned the Cardinals of Rouen and Navarre to examine him. These found him suspect of heresy; he was duly tried and condemned as a heretic, and his inconsiderate zeal found a lasting quietus at the stake.*

There are certain points of resemblance between Thomas Connecte and Girolamo Savonarola, but the Italian was a man of far rarer intellectual and spiritual gifts than the Breton. With equal moral earnestness, his plans and aspirations were wider and of more dangerous import, and they led him into a sphere of political activity in which his fate was inevitable from the beginning.

In Italy the revival of letters, while elevating the intellectual faculties, had been accompanied with deeper degradation in both the moral and spiritual condition of society. Without removing superstition, it had rendered scepticism fashionable, and it had weakened the sanctions of religion without supplying another basis for morality. The world has probably never seen a more defiant disregard of all law, human and divine, than that displayed by both the Church and the laity during the pontificates of Sixtus IV. and Innocent VIII. and Alexander VI. Increase of culture and of wealth seemed only to afford new attractions and enlarged opportunities for luxury and vice, and from the highest to the lowest there was indulgence of unbridled appetites,

* Monstrelet, II. 53, 127.—Martene Ampl. Coll. VIII. 92.—Altmeyer, Précurseurs de la Réforme aux Pays-Bas, I. 237.

with a cynical disregard even of hypocrisy. To the earnest believer it might well seem that God's wrath could not much longer be restrained, and that calamities must be impending which would sweep away the wicked and restore to the Church and to mankind the purity and simplicity fondly ascribed to primitive ages. For centuries a succession of prophets—Joachim of Flora, St. Catharine of Siena, St. Birgitta of Sweden, the Friends of God, Tommasino of Foligno, the Monk Telesforo—had arisen with predictions which had been received with reverence, and as time passed on and human wickedness increased, some new messenger of God seemed necessary to recall his erring children to a sense of the retribution in store for them if they should continue deaf to his voice.

That Savonarola honestly believed himself called to such a mission, no one who has impartially studied his strange career can well doubt. His lofty sense of the evils of the time, his profound conviction that God must interfere to work a change which was beyond human power, his marvellous success in moving his hearers, his habits of solitude and of profound meditation, his frequent ecstasies with their resultant visions might well, in a mind like his, produce such a belief, which, moreover, was one taught by the received traditions of the Church as within the possibilities of the experience of any man. Five years before his first appearance in Florence, a young hermit who had been devotedly serving in a leper hospital at Volterra, came thither, preaching and predicting the wrath to come. He had had visions of St. John and the angel Raphael, and was burdened with a message to unwilling ears. Such things, we are told by the diarist who happens to record this, were occurring every day. In 1491 Rome was agitated by a mysterious prophet who foretold dire calamities impending in the near future. There was no lack of such earnest men, but, unlike Savonarola, their influence and their fate were not such as to preserve their memory.*

* Burlamacchi, Vita di Savonarola (Baluz. et Mansi I. 533-542).—Luca Landucci, Diario Fiorentino, Firenze, 1883, p. 30.—Steph. Infessura Diar. (Eccard. Corp. Hist. Med. Ævi II. 2000).

Villari shows (La Storia di Gir. Savonarola, Firenze, 1887, I. pp. viii.-xi.) that the life which passes under the name of Burlamacchi is a *rifacimento* of an unprinted Latin biography by a disciple of Savonarola. I take this opportunity

When, in his thirtieth year, Savonarola came to Florence, in 1481, his soul was already full of his mission as a reformer. Such opportunity as he had of expressing his convictions from the pulpit he used with earnest zeal, but he produced little effect upon a community sunk in shameless debauchery, and in the Lent of 1486 he was sent to Lombardy. For three years he preached in the Lombard cities, gradually acquiring the power of touching the hearts and consciences of men, and when he was recalled to Florence in 1489, at the instance of Lorenzo de' Medici, he was already known as a preacher of rare ability. The effect of his vigorous eloquence was enhanced by his austere and blameless life, and within a year he was made Prior of San Marco—the convent of the Observantine Dominicans, to which Order he belonged. In 1494 he succeeded in re-establishing the ancient separation of the Dominican province of Tuscany from that of Lombardy, and when he was appointed Vicar-general of the former he was rendered independent of all authority save that of the general, Giovacchino Torriani, who was well affected towards him.*

He claimed to act under the direct inspiration of God, who dictated his words and actions and revealed to him the secrets of the future. Not only was this accepted by the mass of the Florentines, but by some of the keenest and most cultured intellects of the age, such as Francesco Pico della Mirandola and Philippe de Commines. Marsilio Ficino, the Platonist, admitted it, and went further by declaring, in 1494, that only Savonarola's holiness had saved Florence for four years from the vengeance of God on its wickedness. Nardi relates that when, in 1495, Piero de' Medici was making a demonstration upon Florence, he personally heard Savonarola predict that Piero would advance to the gates and retire without accomplishing anything, which duly came to pass. Others of his prophecies were fulfilled, such as those of the deaths of Lorenzo de' Medici and Charles VIII. and the famine of 1497, and his fame spread throughout Italy, while in Florence his influence became

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of expressing my thanks to Signore Villari, for his kindly courtesy in furnishing me with the second volume of the new edition of his classical work in advance of publication. My obligations to it will be seen in the numerous references made to it below.

* Processo Autentico (Baluz. et Mansi IV. 529, 551).—Burlamacchi (Baluz. et Mansi I. 534–5, 541–2).—Villari, op. cit. Lib. I. c. 5, 9.

dominant. Whenever he preached, from twelve to fifteen thousand persons hung upon his lips, and in the great Duomo of Santa Maria del Fiore it was necessary to build scaffolds and benches to accommodate the thronging crowds, multitudes of whom would have cast themselves into fire at a word from him. He paid special attention to children, and interested them so deeply in his work that we are told they could not be kept in bed on the mornings when he preached, but would hurry to the church in advance of their parents. In the processions which he organized sometimes five or six thousand boys would take part, and he used them most effectively in the moral reforms which he introduced in the dissolute and pleasure-loving city. The boys of Frà Girolamo were regularly organized, with officers who had their several spheres of duty assigned to them, and they became a terror to evil-doers. They entered the taverns and gambling-houses and put a stop to revelry and dicing and card-playing, and no woman dared to appear upon the streets save in fitting attire and with a modest mien. "Here are the boys of the Frate" was a cry which inspired fear in the most reckless, for any resistance to them was at the risk of life. Even the annual horse-races of Santo-Barnabo were suppressed, and it was a sign of Girolamo's waning influence when, in 1497, the Signoria ordered them resumed, saying, "Are we all to become monks?" From the gayest and wickedest of cities Florence became the most demure, and the pious long looked back with regret to the holy time of Savonarola's rule, and thanked God that they had been allowed to see it.*

In one respect we may regret his puritanism and the zeal of his boys. For the profane mummeries of the carnival in 1498 he substituted a bonfire of objects which he deemed immodest or improper, and the voluntary contributions for this purpose were supplemented by the energy of the boys, who entered houses and palaces and carried off whatever they deemed fit for the holocaust. Precious illuminated MSS., ancient sculptures, pictures, rare tapestries, and priceless works of art thus were mingled with the gew-

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* Landucci, op. cit. pp. 72, 88, 94, 103, 108, 109, 123–8, 154.—Memoires de Commines Liv. VIII. c. 19.—Marsilii Ficini opp. Ed. 1561, I. 963.—Nardi, Historie Fiorentine, Lib. II. (Ed. 1574, pp. 58, 60).—Perrens, Jérome Savonarole, p. 342.—Burlamacchi (loc. cit. pp. 544–6, 552–3, 556–7).

gaws and vanities of female attire, the mirrors, the musical instruments, the books of divination, astrology, and magic, which went to make up the total. We can understand the sacrifice of copies of Boccaccio, but Petrarch might have escaped even Savonarola's severity of virtue. In this ruthless *auto de fé*, the value of the objects was such that a Venetian merchant offered the Signoria twenty thousand scudi for them, which was answered by taking the would-be chapman's portrait and placing it on top of the pyre. We cannot wonder that the pile had to be surrounded the night before by armed guards to prevent the *tiepidi* from robbing it.*

Had Savonarola's lot been cast under the rigid institutions of feudalism he would probably have exercised a more lasting influence on the moral and religious character of the age. It was his misfortune that in a republic such as Florence the temptation to take part in politics was irresistible. We cannot wonder that he eagerly embraced what seemed to be an opportunity of regenerating a powerful state, through which he might not unreasonably hope to influence all Italy, and thus effect a reform in Church and State which would renovate Christendom. This, as he was assured by the prophetic voice within him, would be followed by the conversion of the infidel, and the reign of Christian charity and love would commence throughout the world.

Misled by these dazzling day-dreams, he had no scruple in making a practical use of the almost boundless influence which he had acquired over the populace of Florence. His teachings led to the revolution which in 1494 expelled the Medici, and he humanely averted the pitiless bloodshed which commonly accompanied such movements in the Italian cities. During the Neapolitan expedition of Charles VIII., in 1494, he did much to cement the alliance of the republic with that monarch, whom he regarded as the instrument destined by God to bring about the reform of Italy. In the reconstruction of the republic in the same year he had, perhaps, more to do than any one else, both in framing its structure and dictating its laws; and when he induced the people to proclaim Jesus Christ as the King of Florence, he perhaps himself hardly recognized how, as the mouthpiece of God, he was inevitably assuming the position of a dictator. It was not only in the

* Landucci, p. 163.—Burlamacchi, pp. 558-9.—Nardi, Lib. II. pp. 56-7.

pulpit that he instructed his auditors as to their duties as citizens and gave vent to his inspiration in foretelling the result, for the leaders of the popular party were constantly in the habit of seeking his advice and obeying his wishes. Yet, personally, for the most part, he held himself aloof in austere retirement, and left the management of details to two confidential agents, selected among the friars of San Marco—Domenico da Pescia, who was somewhat hot-headed and impulsive, and Salvestro Maruffi, who was a dreamer and somnambulist. In thus descending from the position of a prophet of God to that of the head of a faction, popularly known by the contemptuous name of *Piagnoni* or Mourners, he staked his all upon the continued supremacy of that faction, and any failure in his political schemes necessarily was fatal to the larger and nobler plans of which they were the unstable foundation. In addition to this, his resolute adherence to the alliance with Charles VIII. finally made his removal necessary to the success of the policy of Alexander VI. to unite all the Italian states against the dangers of another French invasion.*

As though to render failure certain, under a rule dating from the thirteenth century, the Signoria was changed every two months, and thus reflected every passing gust of popular passion. When the critical time came everything turned against him. The alliance with France, on which he had staked his credit both as a statesman and a prophet, resulted disastrously. Charles VIII. was glad at Fornovo to cut his way back to France with shattered forces, and he never returned, in spite of the threats of God's wrath which Savonarola repeatedly transmitted to him. He not only left Florence isolated to face the league of Spain, the papacy, Venice, and Milan, but he disappointed the dearest wish of the Florentines by violating his pledge to restore to them the stronghold of Pisa. When the news of this reached Florence, January 1, 1496, the incensed populace held Savonarola responsible, and a crowd around San Marco at night amused itself with loud threats to burn "the great hog of a Frate." Besides this was the severe distress occasioned by the shrinking of trade and commerce in the civic disturbances, by the large subsidies paid to Charles VIII., and

* Villari, Lib. II. cap. iv. v.; T. II. App. p. ccxx.—Landucci, pp. 92–4, 112.—Processo Autentico (Baluze et Mansi IV. 531, 554, 558).

by the drain of the Pisan war, leading to insupportable taxation and the destruction of public credit, to all which was added the fearful famine of 1497, followed by pestilence; such a succession of misfortunes naturally made the unthinking masses dissatisfied and ready for a change. The *Arrabbiati*, or faction in opposition, were not slow to take advantage of this revulsion of feeling, and in this they were supported by the dangerous classes and by all those on whom the puritan reform had pressed heavily. An association was formed, known as the Compagnacci, composed of reckless and dissolute young nobles and their retainers, with Doffo Spini at their head and the powerful house of Altoviti behind them, whose primary object was Savonarola's destruction, and who were ready to resort to desperate measures at the first favorable opportunity.*

Such opportunity could not fail to come. Had Savonarola contented himself with simply denouncing the corruptions of the Church and the curia he would have been allowed to exhale his indignation in safety, as St. Birgitta, Chancellor Gerson, Cardinal d'Ailly, Nicholas de Clemangis, and so many others among the most venerated ecclesiastics had done. Pope and cardinal were used to reviling, and endured it with the utmost good-nature, so long as profitable abuses were not interfered with, but Savonarola had made himself a political personage of importance whose influence at Florence was hostile to the policy of the Borgias. Still, Alexander VI. treated him with good-natured indifference which for a while almost savored of contempt. Aroused at last to the necessity of silencing him, an attempt was made to bribe him with the archbishopric of Florence and the cardinalate, but the offer was spurned with prophetic indignation—"I want no hat but that of martyrdom, reddened with my own blood!" It was not till July 21, 1495, after Charles VIII. had abandoned Italy and left the Florentines to face single-handed the league of which the papacy was the head, that any antagonism was manifested towards him, and then it assumed the form of a friendly summons to Rome to give an account of the revelations and prophecies which he had from God. To this he replied, July 31, excusing himself

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Landucci, pp. 110, 112, 122.—Villari, I. 473.—Memoires de Commines, Liv. VIII. ch. 19.—Processo Autentico (loc. cit. pp. 524, 541).—Perrens, p. 342.

on the ground of severe fever and dysentery; the republic, moreover, would not permit him to leave its territories for fear of his enemies, as his life had already been attempted by both poison and steel, and he never quitted his convent without a guard; besides, the unfinished reforms in the city required his presence. As soon as possible, however, he would come to Rome, and meanwhile the pope would find what he wanted in a book now printing, containing his prophecies on the renovation of the Church and the destruction of Italy, a copy of which would be submitted to the holy father as soon as ready.*

However lightly Savonarola might treat this missive, it was a warning not to be disregarded, and for a while he ceased preaching. Suddenly, on September 8, Alexander returned to the charge with a bull intrusted to the rival Franciscans of Santa Croce, in which he ordered the reunion of the Tuscan congregation with the Lombard province; Savonarola's case was submitted to the Lombard Vicar general, Sebastiano de Madiis; Domenico da Pescia and Salvestro Maruffi were required within eight days to betake themselves to Bologna, and Savonarola was commanded to cease preaching until he should present himself in Rome. To this Savonarola replied September 29, in a labored justification, objecting to Sebastiano as a prejudiced and suspected judge, and winding up with a request that the pope should point out any errors in his teaching, which he would at once revoke, and submit whatever he had spoken or written to the judgment of the Holy See. Almost immediately after this the enterprise of Piero de' Medici against Florence rendered it impossible for him to keep silent, and, without awaiting the papal answer, on October 11 he ascended the pulpit and vehemently exhorted the people to unite in resisting the tyrant. In spite of this insubordination Alexander was satisfied with Savonarola's nominal submission, and on October 16 replied, merely ordering him to preach no more in public or in private until he could conveniently come to Rome, or a fitting person be sent to Florence to decide his case; if he obeyed, then all the papal briefs were suspended. To Alexander the whole affair was simply one of politics. The position of Florence under Savonarola's influence

* Guicciardini Lib. III. c. 6.—Burlamacchi, p. 551.—Villari, T. I. pp. civ.-cvii. —Landucci, p. 106.

was hostile to his designs, but he did not care to push the matter further, provided he could diminish the Frate's power by silencing him.*

His voice, however, was too potent a factor in Florentine affairs for his friends in power to consent to his silence. Long and earnest efforts were made to obtain permission from the pope that he should resume his exhortations during the coming Lent, and at length the request was granted. The sermons on Amos which he then delivered were not of a character to placate the curia, for, besides lashing its vices with terrible earnestness, he took pains to indicate that there were limits to the obedience which he would render to the papal commands. These sermons produced an immense sensation, not only in Florence, but throughout Italy, and on Easter Sunday, April 3, 1496, Alexander assembled fourteen Dominican masters of theology, to whom he denounced their audacious comrade as heretical, schismatic, disobedient, and superstitious. It was admitted that he was responsible for the misfortunes of Piero de' Medici, and it was resolved, with but one dissentient voice, that means must be found to silence him.†

Notwithstanding this he continued, without interference, to preach at intervals until November 2. Even then it is a significant tribute to his power that Alexander again had recourse to indirect means to suppress him. On November 7, 1496, a papal brief was issued creating a congregation of Rome and Tuscany and placing it under a Vicar-general who was to serve for two years, and be ineligible to reappointment except after an interval. Although the first Vicar-general was Giacomo di Sicilia, a friend of Savonarola, the measure was ingeniously framed to deprive him of independence, and he might at any moment be transferred from Florence to another post. To this Savonarola replied with open defiance. In a printed "*Apologia della Congregazione di San Marco*," he declared that the two hundred and fifty friars of his convent would resist to the death, in spite of threats and excommunication, a measure which would result in the perdition of their souls. This was a declaration of open war, and on November 26

* Villari, I. 402–7.—Landucci, p. 120.—Diar. Johann. Burchardi (Eccard, Corp. Hist. II. 2151–9).

† Villari, I. 417, 441–5.—Landucci, pp. 125–9.—Perrens, p. 361.

he boldly resumed preaching. The series of sermons on Ezekiel, which he then commenced and continued through the Lent of 1497, shows clearly that he had abandoned all hope of reconciliation with the pope. The Church was worse than a beast, it was an abominable monster which must be purified and renovated by the servants of God, and in this work excommunication was to be welcomed. To a great extent, moreover, these sermons were political speeches, and indicate how absolutely Savonarola from the pulpit dictated the municipal affairs of Florence. The city had been reduced almost to despair in the unequal contest with Pisa, Milan, Venice, and the papacy, but the close of the year 1496 had brought some unexpected successes which seemed to justify Savonarola's exhortations to trust in God, and with the reviving hopes of the republic his credit was to some extent restored.*

Still Alexander, though his wrath was daily growing, shrank from an open rupture and trial of strength, and an effort was made to utilize against Savonarola the traditional antagonism of the Franciscans. The Observantine convent of San Miniato was made the centre of operations, and thither were sent the most renowned preachers of the Order—Domenico da Poza, Michele d' Aquis, Giovanni Tedesco, Giacopo da Brescia, and Francesco della Puglia. It is true that when, January 1, 1497, the Piagnoni, strengthened by recent successes in the field, elected Francesco Valori as Gonfaloniero di Giustizia, he endeavored to stop the Franciscans from preaching, prohibited them from begging bread and wine and necessaries, and boasted that he would starve them out, and one of them was absolutely banished from the city, but the others persevered, and Savonarola was freely denounced as an impostor from the pulpit of Santo-Spirito during Lent Yet this had no effect upon his followers, and his audiences were larger and more enthusiastic than ever. No better success awaited a nun of S. Maria di Casignano, who came to Florence on the same errand.†

The famine was now at its height, and pestilence became threatening. The latter gave the Signoria, which was now composed of Arrabbiati, an excuse for putting a stop to this pulpit warfare, which doubtless menaced the peace of the city, and on May 3

* Villari, I. 488, 492-4, 496, 498, cxlii.; II. 4-6.

† Processo Autentico, pp. 532-4.—Perrens, pp. 189-90.—Landucci, pp. 144-6.

all preaching after Ascension Day (May 4) was forbidden for the reason that, with the approach of summer, crowds would facilitate the dissemination of the plague. That passions were rising beyond control was shown when, the next day, Savonarola preached his farewell sermon in the Duomo. The doors had been broken open in advance, and the pulpit was smeared with filth. The Compagnacci had almost openly made preparations to kill him; they gathered there in force, and interrupted the discourse with a tumult, during which the Frate's friends gathered around him with drawn swords and conveyed him away in safety.*

The affair made an immense sensation throughout Italy, and the sympathies of the Signoria were shown by the absence of any attempt to punish the rioters. Encouraged by this evidence of the weakness of the Piagnoni, on May 13 Alexander sent to the Franciscans a bull ordering them to publish Savonarola as excommunicate and suspect of heresy, and that no one should hold converse with him. This, owing to the fears of the papal commissioner charged with it, was not published till June 18. Before the existence of the bull was known, on May 22, Savonarola had written to Alexander an explanatory letter, in which he offered to submit himself to the judgment of the Church; but two days after the excommunication was published he replied to it with a defence in which he endeavored to prove that the sentence was invalid, and on June 25 he had the audacity to address to Alexander a letter of condolence on the murder of his son, the Duke of Gandia. Fortunately for him another revulsion in municipal politics restored his friends to power on July 1, the elections till the end of the year continued favorable, and he did not cease to receive and administer the sacraments, though, under the previous orders of the Signoria, there was no preaching. It must be borne in mind that at this period there was a spirit of insubordination abroad which regarded the papal censures with slender respect. We have seen above (Vol. II. p. 137) that in 1502 the whole clergy of France, acting under a decision of the University of Paris, openly defied an excommunication launched at them by Alexander VI. It was the same now in Florence. How little the Piagnoni reckoned of the excommunication is seen by a petition presented September 17 to

* Landucci, p. 148.—Villari, II. 18-25.

the Signoria, by the children of Florence, asking that their beloved Frate be allowed to resume preaching, and by a sermon delivered in his defence, October 1, by a Carmelite who declared that in a vision God had told him that Savonarola was a holy man, and that all his opponents would have their tongues torn out and be cast to the dogs. This was flat rebellion against the Holy See, but the only punishment inflicted on the Carmelite by the episcopal officials was a prohibition of further preaching. Meanwhile the Signoria had made earnest but vain attempts to have the excommunication removed, and Savonarola had indignantly refused an offer of the Cardinal of Siena (afterwards Pius III.) to have it withdrawn on the payment of five thousand scudi to a creditor of his. Yet, in spite of this disregard of the papal censures, Savonarola considered himself as still an obedient son of the Church. He employed the enforced leisure of this summer in writing the *Trionfo della Croce*, in which he proved that the papacy is supreme, and that whoever separates himself from the unity and doctrine of Rome separates himself from Christ.*

January, 1498, saw the introduction of a Signoria composed of his zealous partisans, who were not content that a voice so potent should be hushed. It was an ancient custom that they should go in a body and make oblations at the Duomo on Epiphany, which was the anniversary of the Church, and on that day citizens of all parties were astounded at seeing the still excommunicated Savonarola as the celebrant, and the officials humbly kiss his hand. Not content with this act of rebellion, it was arranged that he should recommence preaching. A new Signoria was to be elected for March, the people were becoming divided in their allegiance to him, and his eloquence was held to be indispensable for his own safety and for the continuance in power of the Piagnoni. Accordingly, on February 11 he again appeared in the Duomo, where the old benches and scaffolds had been replaced to accommodate the crowd. Yet many of the more timid Piagnoni abstained from listening to an excommunicate: whether just or unjust, they argued, the sentence of the Church was to be feared.†

* Villari, II. 25–8, 35–6, 79; App. xxxix.—Processo Autentico, p. 535.—Landucci, pp. 152–3, 157.

† Landucci, pp. 161–2.—Machiavelli, Frammenti istorici (Opere Ed. 1782, II. 58).

In the sermons on Exodus preached during this Lent—the last which he had the opportunity of uttering—Savonarola was more violent than ever. His position was such that he could only justify himself by proving that the papal anathema was worthless, and this he did in terms which excited the liveliest indignation in Rome. A brief was despatched to the Signoria, February 26, commanding them, under pain of interdict, to send Savonarola as a prisoner to Rome. This received no attention, but at the same time another letter was sent to the canons of the Duomo ordering them to close their church to him, and March 1 he appeared there to say that he would preach at San Marco, whither the crowded audience followed him. His fate, however, was sealed the same day by the advent to power of a government composed of a majority of Arrabbiati, with one of his bitterest enemies, Pier Popoleschi, at its head as Gonfaloniero di Giustizia. Yet he was too powerful with the people to be openly attacked, and occasion for his ruin had to be awaited.*

The first act of the new Signoria was an appeal to the pope, March 4, excusing themselves for not obeying his orders and asking for clemency towards Savonarola, whose labors had been so fruitful, and whom the people of Florence believed to be more than man. Possibly this may have been insidiously intended to kindle afresh the papal anger; at all events, Alexander's reply shows that he recognized fully the advantage of the situation. Savonarola is "that miserable worm" who in a sermon recently printed had adjured God to deliver him to hell if he should apply for absolution. The pope will waste no more time in letters; he wants no more words from them, but acts. They must either send their monstrous idol to Rome, or segregate him from all human society, if they wish to escape the interdict which will last until they submit. Yet Savonarola is not to be perpetually silenced, but, after due humiliation, his mouth shall be again opened.†

This reached Florence March 13 and excited a violent discussion. We have seen that an interdict inflicted by the pope might

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* Landucci, p. 164.—Perrens, p. 231.—Villari, II. App. lxvi.

† Perrens, pp. 232–5, 365–72. Cf. Villari, II. 115.

The obnoxious appeal to God had really been made by Savonarola in his sermon of February 11 (Villari, II. 88).

be not merely a deprivation of spiritual privileges, but that it might comprehend segregation from the outside world and seizure of person and property wherever found, which was ruin to a commercial community. The merchants and bankers of Florence received from their Roman correspondents the most alarming accounts of the papal wrath and of his intention to expose their property to pillage. Fear took possession of the city, as rumors spread from day to day that the dreaded interdict had been proclaimed. It shows the immense influence still wielded by Savonarola that, after earnest discussions and various devices, the Signoria could only bring itself, March 17, to send to him five citizens at night to beg him to suspend preaching for the time. He had promised that, while he would not obey the pope, he would respect the wishes of the civil power, but when this request reached him he replied that he must first seek the will of Him who had ordered him to preach. The next day, from the pulpit of San Marco, he gave his answer—"Listen, for this is what the Lord saith: In asking this Frate to give up preaching it is to Me that the request is made, and not to him, for it is I who preach; it is I who grant the request and who do not grant it. The Lord assents as regards the preaching, but not as regards your salvation." *

It was impossible to yield more awkwardly or in a manner more convincing of self-deception, and Savonarola's enemies grew correspondingly bold. The Franciscans thundered triumphantly from the pulpits at their command; the disorderly elements, wearied with the rule of righteousness, commenced to agitate for the license which they could see was soon to be theirs. Profane scoffers commenced to ridicule the Frate openly in the streets, and within a week placards were posted on the walls urging the burning of the palaces of Francesco Valori and Paolo Antonio Soderini, two of his leading supporters. The agents of the Duke of Milan were not far wrong when they exultingly wrote to him predicting the speedy downfall of the Frate, by fair means or foul.†

Just at this juncture there came to light a desperate expedient to which Savonarola had recourse. After giving Alexander fair warning, March 13, to look to his safety, for there could no longer

* Perrens, pp. 237, 238.—Landucci, pp. 164-66.

† Landucci, p. 166.—Villari, II. App. pp. lviii.-lxii.

be truce between them, Savonarola appealed to the sovereigns of Christendom, in letters purporting to be written under the direct command of God and in his name, calling upon the monarchs to convoke a general council for the reformation of the Church. It was diseased, from the highest to the lowest, and on account of its intolerable stench God had not permitted it to have a lawful head. Alexander VI. was not pope and was not eligible to the papacy, not only by reason of the simony through which he had bought the tiara, and the wickedness which, when exposed, would excite universal execration, but also because he was not a Christian, and not even a believer in God. All this Savonarola offered to prove by evidence and by miracles which God would execute to convince the most sceptical. This portentous epistle, with trifling variants, was to be addressed to the Kings of France, Spain, England, and Hungary, and to the emperor. A preliminary missive from Domenico Mazzinghi to Giovanni Guasconi, Florentine Ambassador in France, happened to be intercepted by the Duke of Milan, who was hostile to Savonarola, and who promptly forwarded it to the pope.*

Alexander's wrath can easily be conceived. It was not so much the personal accusations, which he was ready to dismiss with cynical indifference, as the effort to bring about the convocation of a council which, since those of Constance and Basle, had ever been the cry of the reformer and the terror of the papacy. In the existing discontent of Christendom it was an ever-present danger. So recently as 1482 the half-crazy Andreas, Archbishop of Krain, had set all Europe in an uproar by convoking from Basle a council on his own responsibility, and defying for six months, under the protection of the magistrates, the efforts of Sixtus IV. and the anathemas of the inquisitor, Henry Institoris, until Frederic III., after balancing awhile, had him thrown into jail. In the same year, 1482, Ferdinand and Isabella, by the threat of calling a council, brought Sixtus to renounce the claim of filling the sees of Spain with his own creatures. In 1495 a rumor was current that the emperor was about to cite the pope to a council to be held in

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* Villari, II. 129, 132–5; App. pp. lxviii.–lxxi., clxxi. — Baluz. et Mansi I. 584–5.—Perrens. pp. 373–5.—Burlamacchi, p. 551.—In his confession of May 21, Savonarola stated that the idea of the council had only suggested itself to him three months previously (Villari, II. App. cxcii.).

Florence. Some years earlier the rebellious Cardinal Giuliano della Rovere, who had fled to France, persistently urged Charles VIII. to assemble a general council; in 1497 Charles submitted the question to the University of Paris, and the University pronounced in its favor. Wild as was Savonarola's notion that he could, single-handed, stimulate the princes to such action, it was, nevertheless, a dart aimed at the mortal spot of the papacy, and the combat thereafter was one in which no quarter could be given.*

The end, in fact, was inevitable, but it came sooner and more dramatically than the shrewdest observer could have anticipated. It is impossible, amid the conflicting statements of friends and foes, to determine with positiveness the successive steps leading to the strange *Sperimento del Fuoco* which was the proximate occasion of the catastrophe, but it probably occurred in this wise: Frà Girolamo being silenced, Domenico da Pescia took his place. Matters were clearly growing desperate, and in his indiscreet zeal Domenico offered to prove the truth of his master's cause by throwing himself from the roof of the Palazzo de' Signori, by casting himself into the river, or by entering fire. Probably this was only a rhetorical flourish without settled purpose, but the Franciscan, Francesco della Puglia, who was preaching with much effect at the Church of Santa-Croce, took it up and offered to share the ordeal with Frà Girolamo. The latter, however, refused to undertake it unless a papal legate and ambassadors from all Christian princes could be present, so that it might be made the commencement of a general reform in the Church. Frà Domenico then accepted the challenge, and on March 27 or 28 he caused to be affixed to the portal of Santa-Croce a paper in which he offered to prove, by argument or miracle, these propositions: I. The Church

* Landucci, p. 118.—Chron. Glassberger ann. 1482.—Raynald. ann. 1492, No. 25.—Pulgar, Cronica de los Reyes Catolicos, II. civ.—Comba, La Riforma in Italia, I. 491.—Nardi, Lib. II. (p. 79).

The contemporary Glassberger says of Andreas of Krain's attempt, "Nisi enim auctoritas imperatoris intervenisset maximum in ecclesia schisma subortum fuisset. Omnes enim æmuli domini papæ ad domini imperatoris consensum respiciebant pro concilio celebrando." A year's imprisonment in chains exhausted the resolution of Andreas, who executed a solemn recantation of his invectives against the Holy See. This was sent with a petition for pardon to Sixtus IV., who granted it, but before the return of the messengers the unhappy reformer hanged himself in his cell (ubi sup. ann. 1483).

of God requires renovation; II. The Church is to be scourged; III. The Church will be renovated; IV. After chastisement Florence will be renovated and will prosper; V. The infidel will be converted; VI. The excommunication of Frà Girolamo is void; VII. There is no sin in not observing the excommunication. Frà Francesco reasonably enough said that most of these propositions were incapable of argument, but, as a demonstration was desired, he would enter fire with Frà Domenico, although he fully expected to be burned; still, he was willing to make the sacrifice in order to liberate the Florentines from their false idol.*

Passions were fierce on both sides, and eager partisans kept the city in an uproar. To prevent an outbreak the Signoria sent for both disputants and caused them to enter into a written agreement, March 30, to undergo this strange trial. Three hundred years earlier it would have seemed reasonable enough, but the Council of Lateran, in 1215, had reprobated ordeals of all kinds, and they had been definitely marked with the ban of the Church. When it came to the point Frà Francesco said that he had no quarrel with Domenico; that if Savonarola would undergo the trial, he was ready to share it, but with any one else he would only produce a champion—and one was readily found in the person of Frà Giuliano Rondinelli, a noble Florentine of the Order. On the other side, all the friars of San Marco, nearly three hundred in number, signed the agreement pledging to submit themselves to the ordeal, and Savonarola declared that in such a cause any one could do so without risk. So great was the enthusiasm that when, on the day before the trial, he preached on the subject in San Marco, all the audience rose in mass, and offered to take Domenico's place in vindicating the truth. The conditions prescribed by the Signoria were, that if the Dominican champion perished, whether alone or with bis rival, Savonarola should leave the city until officially recalled; if the Franciscan alone succumbed, then Frà Francesco should do likewise; and the same was decreed for either side that should decline the ordeal at the last moment.†

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* Burlamacchi, p. 559.—Landucci, pp. 166–7.—Processo Autentico, pp. 535–7.—Villari, II. App. lxxi. sqq.

† Landucci, pp. 167–8.—Processo Autentico, pp. 536–8.—Villari, II. App. xci.–xciii.

The Signoria appointed ten citizens to conduct the trial, and fixed it for April 6, but postponed it for a day in hopes of receiving from the pope a negative answer to an application for permission—a refusal which came, but came too late, possibly delayed on purpose. On April 7, accordingly, the preparations were completed. In the Piazza de' Signori a huge pile of dry wood was built the height of a man's eyes, with a central gangway through which the champions were to pass. It was plentifully supplied with gunpowder, oil, sulphur, and spirits, to insure the rapid spread of the flames, and when lighted at one end the contestants were to enter at the other, which was to be set on fire behind them, so as to cut off all retreat. An immense mass of earnest spectators filled the piazza, and every window and house-top was crowded. These were mostly partisans of Savonarola, and the Franciscans were cowed until cheered by the arrival of the Compagnacci, the young nobles fully armed on their war-horses, and each accompanied by eight or ten retainers—some five hundred in all, with Doffo Spini at their head.*

First came on the scene the Franciscans, anxious and terrified. Then marched in procession the Dominicans, about two hundred in number, chanting psalms. Both parties went before the Signoria, when the Franciscans, professing fear of magic arts, demanded that Domenico should change his garments. Although this was promptly acceded to, and both champions were clothed anew, considerable time was consumed in the details. The Dominicans claimed that Domenico should be allowed to carry a crucifix in his right hand and a consecrated wafer in his left. An objection being made to the crucifix he agreed to abandon it, but was unmoved by the cry of horror with which the proposition as to the host was received. Savonarola was firm. It had been revealed to Frà Salvestro that the sacrament was indispensable, and the matter was hotly disputed until the shades of evening fell, when the Signoria announced that the ordeal was abandoned, and the Franciscans withdrew, followed by the Dominicans. The crowd which had patiently waited through torrents of rain, and a storm in which the air seemed filled with howling demons, were enraged

* Perrens, pp. 379–81.—Burlamacchi, pp. 560, 562.—Landucci, p. 168.—Processo Autentico, pp. 540–1.

at the loss of the promised spectacle, and a heavy armed escort was necessary to convey the Dominicans in safety back to San Marco. Had the matter been one with which reason had anything to do, we might perhaps wonder that it was regarded as a triumph for the Franciscans; but Savonarola had so confidently promised a miracle, and had been so implicitly believed by his followers, that they accepted the drawn battle as a defeat, and as a confession that he could not rely on the interposition of God. Their faith in their prophet was shaken, while the exultant Compagnacci lavished abuse on him, and they had not a word to utter in his defence.*

His enemies were prompt in following up their advantage. The next day was Palm Sunday. The streets were full of triumphant Arrabbiati, and such Piagnoni as showed themselves were pursued with jeers and pelted with stones. At vespers, the Dominican Mariano de' Ughi attempted to preach in the Duomo, which was crowded, but the Compagnacci were there in force, interrupted the sermon, ordered the audience to disperse, and those who resisted were assailed and wounded. Then arose the cry, "To San Marco!" and the crowd hurried thither. Already the doors of the Dominican church had been surrounded by boys whose cries disturbed the service within, and who, when ordered to be silent, had replied with showers of stones which compelled the entrance to be closed. As the crowd surged around, the worshippers were glad to escape with their lives through the cloisters. Francesco Valori and Paolo Antonio Soderini were there in consultation with Savonarola. Soderini made good his exit from the city; Valori was seized while skirting the walls, and carried in front of his palace, which had already been attacked by the Compagnacci. Before his eyes, his wife, who was pleading with the assailants from a window, was slain with a missile, one of his children and a female servant were wounded, and the palace was sacked and burned, after which he was struck from behind and killed by his enemies of the families Tornabuoni and Ridolfi.

* Landucci, pp. 168-9.—Processo Autentico, p. 542.—Burlamacchi, p. 563.—Villari, II. App. pp. lxxv.-lxxx., lxxxiii.-xc.—Guicciardini, Lib. III. c. 6.

The good Florentines did not fail to point out that the sudden death of Charles VIII., on this same April 7, was a visitation upon him for having abandoned Savonarola and the republic.—Nardi, Lib. II. p. 80.

Two other houses of Savonarola's partisans were likewise pillaged and burned.*

In the midst of the uproar there came forth successive proclamations from the Signoria ordering Savonarola to quit the Florentine territories within twelve hours, and all laymen to leave the church of San Marco within one hour. Although these were followed by others threatening death to any one entering the church, they virtually legalized the riot, showing what had doubtless been the secret springs that set it in motion. The assault on San Marco then became a regular siege. Matters had for some time looked so threatening that during the past fortnight the friars had been secretly providing themselves with arms. These they and their friends used gallantly, even against the express commands of Savonarola, and a *melée* occurred in which more than a hundred on both sides were killed and wounded. At last the Signoria sent guards to capture Savonarola and his principal aids, Domenico and Salvestro, with a pledge that no harm should be done to them. Resistance ceased; the two former were found in the library, but Salvestro had hidden himself, and was not captured till the next day. The prisoners were ironed hand and foot and carried through the streets, where their guards could not protect them from kicks and buffets by the raging mob.†

The next day there was comparative quiet. The revolution in which the aristocracy had allied itself with the dangerous classes was complete. The Piagnoni were thoroughly cowed. Opprobrious epithets were freely lavished on Savonarola by the victors, and any one daring to utter a word in his defence would have been slain on the spot. To render the triumph permanent, however, it was necessary first to discredit him utterly with the people and then to despatch him. No time was lost in preparing to give a judicial appearance to the foregone conclusion. During the day a tribunal of seventeen members selected from among his special enemies, such as Doffo Spini, was nominated, which set promptly to work on April 10, although its formal commission, including power to use torture, was not made out until the

* Landucci, p. 170.—Processo Autentico, pp. 534, 543.—Burlamacchi, p. 564.

† Landucci, p. 171.—Processo Autentico, pp. 544, 549.—Burlamacchi, p. 564.—Nardi, Lib. II. p. 78.—Villari, II. 173–77; App. pp. xciv., ccxxv., ccxxxiii.

11th. Papal authority to disregard the clerical immunity of the prisoners was applied for, but the proceedings were not delayed by waiting for the answer, which, of course, was favorable, and two papal commissioners were adjoined to the tribunal. Savonarola and his companions, still ironed hand and foot, were carried to the Bargello. The official account states that he was first interrogated kindly, but as he would not confess he was threatened with torture, and this proving ineffectual he was subjected to three and a half *tratti di fune*. This was a customary form of torture, known as the strappado, which consisted in tying the prisoner's hands behind his back, then hoisting him by a rope fastened to his wrists, letting him drop from a height and arresting him with a jerk before his feet reached the floor. Sometimes heavy weights were attached to the feet to render the operation more severe. Officially it is stated that this first application was sufficient to lead him to confess freely, but the general belief at the time was that it was repeated with extreme severity.*

Be this as it may, Savonarola's nervous organization was too sensitive for him to endure agony which he knew would be indefinitely prolonged by those determined to effect a predestined result. He entreated to be released from the torture and promised to reveal everything. His examination lasted until April 18, but

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* Landucci, pp. 171-2.—Villari, II. 178; App. p. clxv.—Processo Autentico, pp. 550-1.

Violi (Villari, II. App. cxvi.-vii.) says that the torture was repeatedly applied—on one evening no less than fourteen times from the pulley to the floor, and that his arms were so injured that he was unable to feed himself; but this must be exaggerated in view of the pious treatises which he wrote while in prison. Burlamacchi says that he was tortured repeatedly both with cord and fire (pp. 566, 568). Burchard, the papal prothonotary, states that he was tortured seven times, and Burchard was likely to know and not likely to exaggerate (Burch. Diar. *ap.* Preuves des Mémoires de Commines, Bruxelles, 1706, p. 424). The expression of Commines, who was well-informed, is "*le gesnèrent à merveilles*" (Mémoires, Lib. VIII. ch. 19). But the most emphatic evidence is that of the Signoria, who, in answer to the reproaches of Alexander at their tardiness, declare that they had to do with a man of great endurance; they had assiduously tortured him for many days with slender results, which they would suppress until they could force him to reveal all his secrets—"multa et assidua quæstione, multis diebus, per vim vix pauca extorsimus, quæ nunc celare animus erat donec omnia nobis paterent sui animi involucra" (Villari, II. 197).

even in his complying frame of mind the resultant confession required to be manipulated before it could be made public. For this infamous piece of work a fitting instrument was at hand. Ser Ceccone was an old partisan of the Medici whose life had been saved by Savonarola's secretly giving him refuge in San Marco, and who now repaid the benefit by sacrificing his benefactor. As a notary he was familiar with such work, and under his skilful hands the incoherent answers of Savonarola were moulded into a narrative which is the most abject of self-accusations and most compromising to all his friends.*

He is made to represent himself as being from the first a conscious impostor, whose sole object was to gain power by deceiving the people. If his project of convoking a council had resulted in his being chosen pope he would not have refused the position, but if not he would at all events have become the foremost man in the world. For his own purposes he had arrayed the citizens against each other and caused a rupture between the city and the Holy See, striving to erect a government on the Venetian model, with Francesco Valori as perpetual doge. The animus of the trial is clearly revealed in the scant attention paid to his spiritual aberrations, which were the sole offences for which he could be convicted, and the immense detail devoted to his political activity, and to his relations with all obnoxious citizens whom it was desired to involve in his ruin. Had there been any pretence of observing ordinary judicial forms, the completeness with which he was represented as abasing himself would have overreached its purpose. In forcing him to confess that he was no prophet, and that he had always secretly believed the papal excommunication to be valid, he was relieved from the charge of persistent heresy, and he could legally be only sentenced to penance; but, as there

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* Landucci, p. 172.—Processo Autentico, p. 550.—Perrens, pp. 267–8.—Burlamacchi, pp. 566–7.—Villari, II. 188, 193; App. cxviii.–xxi.

It is part of the Savonarola legend that Savonarola threatened Ser Ceccone with death within a year if he did not remove certain interpolations from the confession, and that the prediction was verified, Ceccone dying within the time, unhouselled, and refusing in despair the consolations of religion (Burlamacchi, p. 575.—Violi *ap.* Villari, II. App. cxxvii.).

Ceccone performed the same office for the confession of Frà Domenico (Villari, II. App. Doc. xxvii.).

was no intention of being restricted to legal rules, the first object was to discredit him with the people, after which he could be judicially murdered with impunity.*

The object was thoroughly attained. On April 19, in the great hall of the council, the confession was publicly read in the presence of all who might see fit to attend. The effect produced is well described by the honest Luca Landucci, who had been an earnest and devout, though timid, follower of Frà Girolamo, and who now grieved bitterly at the disappearance of his illusions, and at the shattering of the gorgeous day-dreams in which the disciples had nursed themselves. Deep was his anguish as he listened to the confession of one "whom we believed to be a prophet and who now confessed that he was no prophet, and that what he preached was not revealed to him by God. I was stupefied and my very soul was filled with grief to see the destruction of such an edifice, which crumbled because it was founded on a lie. I had expected to see Florence a new Jerusalem, whence should issue the laws and the splendor and the example of the holy life; to see the renovation of the Church, the conversion of the infidel, and the rejoicing of the good. I found the reverse of all this, and I swallowed the dose"—a natural enough metaphor, seeing that Landucci was an apothecary.†

Yet even with this the Signoria was not satisfied. On April 21 a new trial was ordered; Savonarola was tortured again, and further avowals of his political action were wrung from him,‡ while a general arrest was made of those who were compromised by his confessions, and those of Domenico and Salvestro, creating a terror so widespread that large numbers of his followers fled from the city. On the 27th the prisoners were taken to the Bargello and so tortured that during the whole of the afternoon their shrieks were heard by the passers-by, but nothing was wrung

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* Processo Autentico, pp. 551-64, 567.—Villari, II. App. cxlvii. sqq.

Violi states that the confession as interpolated by Ceccone was printed and circulated by the Signoria as a justification of their action, but that it proved so unsatisfactory to the public that in a few days all copies were ordered by proclamation to be surrendered (Villari, II. App. p. cxiv.).

† Landucci, p. 173.—Burlamacchi, p. 567.

‡ This confession was never made public. Villari, who discovered the MS., has printed it, App. p. clxxv.

from them to incriminate Savonarola. The officials in power had but a short time for action, as their term of office ended with the month, although by arbitrary and illegal devices they secured successors of their own party. Their last official act, on the 30th, was the exile of ten of the accused citizens, and the imposition on twenty-three of various fines, amounting in all to twelve thousand florins.*

The new government which came in power May 1 at once discharged the imprisoned citizens, but kept Savonarola and his companions. These, as Dominicans, were not justiciable by the civil power, but the Signoria immediately applied to Alexander for authority to condemn and execute them. He refused, and ordered them to be delivered to him for judgment, as he had already done when the news reached him of Savonarola's capture. To this the republic demurred, doubtless for the reason privately alleged to the ambassador, that Savonarola was privy to too many state secrets to be intrusted to the Roman curia; but it suggested that the pope might send commissioners to Florence to conduct the proceedings in his name. To this he assented. In a brief of May 11 the Bishop of Vaison, the suffragan of the Archbishop of Florence, is instructed to degrade the culprits from holy orders, at the requisition of the commissioners who had been empowered to conduct the examination and trial to final sentence. In the selection of these commissioners the Inquisition does not appear. Even had it not fallen too low in popular estimation to be intrusted with an affair of so much moment, in Tuscany it was Franciscan, and to have given special authority to the existing inquisitor, Frà Francesco da Montalcino, would have been injudicious in view of the part taken by the Franciscans in the downfall of Savonarola. Alexander showed his customary shrewdness in selecting for the miserable work the Dominican general, Giovacchino Torriani, who bore the reputation of a kind-hearted and humane man. He was but a stalking-horse, however, for the real actor was his associate, Francesco Romolino, a clerk of Lerida, whose zeal in the infamous business was rewarded with the cardinalate and archbishopric of Palermo. After all, their duties were only ministerial

* Landucci, p. 174.—Processo Autentico, p. 563.—Villari, II. 210, 217.—Nardi, Lib. II. p. 79.

and not judicial, for the matter had been prejudged at Rome. Romolino openly boasted, "We shall have a fine bonfire, for I bring the sentence with me."*

The commissioners reached Florence May 19, and lost no time in accomplishing their object. The only result of the papal intervention was to subject the victims to a surplusage of agony and shame. For form's sake, the papal judges could not accept the proceedings already had, but must inflict on Savonarola a third trial. Brought before Romolino on the 20th, he retracted his confession as extorted by torture, and asserted that he was an envoy of God. Under the inquisitorial formulas this retraction of confession rendered him a relapsed heretic, who could be burned without further ceremony, but his judges wanted to obtain information desired by Alexander, and again the sufferer was repeatedly subjected to the strappado, when he withdrew his retraction. Special inquiries were directed to ascertain whether the Cardinal of Naples had been privy to the design of convoking a general council, and under the stress of reiterated torture Savonarola was brought to admit this on the 21st, but on the 22d he withdrew the assertion, and the whole confession, although manipulated by the skilful hand of Ser Ceccone, was so nearly a repetition of the previous one that it was never given to the public. This mattered little, however, for the whole proceedings were a barefaced mockery of justice. From some oversight Domenico da Pescia's name had not been included in the papal commission. He was an individual of no personal importance, but some zealous Florentine warned Romolino that there might be danger in sparing him, when the commissioner carelessly replied "A *fratacci* more or less makes no difference," and his name was added to the sentence. He was an impenitent heretic, for with heroic firmness he had borne the most excruciating torture without retracting his faith in his beloved prophet.†

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* Landucci, p. 174.—Nardi, Lib. II. p. 79.—Wadding. ann. 1496, No. 7.—Perrens, p. 399.—Processo Autentico, p. 522.—Burlamacchi, p. 568.—Brev. Hist. Ord. Prædicat. (Martene Ampl. Coll. VI. 393).

† Landucci, p. 176.—Nardi, Lib. II. pp. 80-1.—Burlamacchi, p. 568.—Violi (Villari, II. App. cxxv.).—Villari, II. 206-8, 229-33; App. clxxxiv., cxciv., cxcvii.

There was one peculiarity in this examination before Romolino which I have not seen recorded elsewhere. During the interrogatory of May 21 Savonarola

The accused were at least spared the torment of suspense. On the 22d judgment was pronounced. They were condemned as heretics and schismatics, rebels from the Church, sowers of tares and revealers of confessions, and were sentenced to be abandoned to the secular arm. To justify relaxation, it was requisite that the culprit should be a relapsed or a defiant heretic, and Savonarola was not regarded as coming under either category. He had always declared his readiness to retract anything which Rome might define as erroneous. He had confessed all that had been required of him, nor was his retraction when removed from torture treated as a relapse, for he and his companions were admitted to communion before execution, without undergoing the ceremony of abjuration, which shows that they were not considered as heretics, nor cut off from the Church. In fact, as though to complete the irregularity of the whole transaction, Savonarola himself was allowed to act as the celebrant, and to perform the sacred mysteries on the morning of the execution. All this went for nothing, however, when a Borgia was eager for revenge. On the previous evening a great pile had been built in the piazza. The next morning, May 23, the ceremony of degradation from holy orders was performed in public, after which the convicts were handed over to the secular magistrates. Was it hypocrisy or remorse that led Romolino at this moment to give to his victims, in the name of Alexander, plenary indulgence of their sins, thus restoring them to a state of primal innocence? Irregular as the whole affair had been, it was rendered still more so by the Signoria, which modified the customary penalty to hanging before the burning, and the three martyrs endured their fate in silence.*

The utmost care was taken that the bodies should be utterly consumed, after which every fragment of ashes was scrupulously gathered up and thrown into the Arno, in order to prevent the preservation of relics. Yet, at the risk of their lives, some earnest disciples secretly managed to secure a few floating coals, as well

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was subjected to fresh torture as a preliminary to asking his confirmation of the statements just made under repeated tortures (Villari, II. App. cxcvi.).

* Landucci, pp. 176–7.—Processo Autentico, p. 546.—Villari, II. 239; App. cxcviii.—Cantù, Eretici d'Italia, I. 229.—Burlamacchi, pp. 569–70.—Nardi, Lib. II. p. 82.

as some fragments of garments, which were treasured and venerated even to recent times. Though many of the believers, like honest Landucci, were disillusioned, many were persistent in the faith, and for a long while lived in the daily expectation of Savonarola's advent, like a new Messiah, to work out the renovation of Christianity and the conversion of the infidel—the realization of the splendid promises with which he had beguiled himself and them. So profound and lasting was the impression made by his terrible fate that for more than two centuries, until 1703, the place of execution was secretly strewed with flowers on the night of the anniversary, May 23.*

The papal commissioners reaped a harvest by summoning to Rome the followers of Savonarola, and then speculating on their fears by selling them exemptions. Florence itself was not long in realizing the strength of the reaction against the puritanic methods which Savonarola had enforced. The streets again became filled with reckless desperadoes, quarrels and murders were frequent, gambling was unchecked, and license reigned supreme. Nardi tells us that it seemed as if decency and virtue had been prohibited by law, and the common remark was, that since the coming of Mahomet no such scandal had been inflicted upon the Church of God. As Landucci says, it seemed as if hell had broken loose. As though in very wantonness to show the Church what were the allies whom it had sought in the effort to crush unwelcome reform, on the following Christmas eve a horse was brought into the Duomo, and deliberately tortured to death, goats were let loose in San Marco, and in all the churches assafœtida was placed in the censers; nor does it seem that any punishment was visited upon the perpetrators of these public sacrileges. The Church had used the sceptics to gain her ends, and could not complain of the manner in which they repaid her for her assistance in the unholy alliance.†

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* Landucci, p. 178.—Perrens, p. 281.—Processo Autentico, p. 547.—Nardi, Lib. II. p. 82.—Villari, II. 251.

Burlamacchi's relation (pp. 570-1) of the manner in which an arm, a hand, and the heart of Savonarola were preserved for the veneration of the faithful, has the evident appearance of a legend to justify the authenticity of the relics.

† Nardi, Lib. II. pp. 82-3.—Landucci, pp. 190-1.

Savonarola had built his house upon the sand, and was swept away by the waters. Yet, in spite of his execution as a heretic, the Church has tacitly confessed its own crime by admitting that he was no heretic, but rather a saint, and the most convenient evasion of responsibility was devoutly to refer the whole matter, as Luke Wadding does, to the mysterious judgment of God. Even Torriani and Romolino, after burning him, when they ordered, May 27, under pain of excommunication, all his writings to be delivered up to them for examination, were unable to discover any heretical opinions, and were obliged to return them without erasures. Perhaps it might have been as well to do this before condemning him. Paul III. declared that he would hold as a heretic any one who should assail the memory of Frà Girolamo; and Paul IV. had his works rigorously examined by a special congregation, which declared that they contained no heresy. Fifteen of his sermons, denunciatory of ecclesiastical abuses, and his treatise *De Veritate Prophetica*, were placed upon the index as unfitted for general reading, *donec corrigantur*, but not as heretical. Benedict XIV., in his great work, *De Servorum Dei Beatificatione*, includes Savonarola's name in a list of the saints and men illustrious for sanctity. Images of him graced with the nimbus of sanctity were allowed to be publicly sold, and St. Filippo Neri kept one of these constantly by him. St. Francesco di Paola held him to be a saint. St. Catarina Ricci used to invoke him as a saint, and considered his suffrage peculiarly efficacious; when she was canonized, her action with regard to this was brought before the consistory, and was thoroughly discussed. Prospero Lambertini, afterwards Benedict XIV., was the *Promotor fidei*, and investigated the matter carefully, coming to the conclusion that this in no degree detracted from the merits of St. Catarina. Benedict XIII. also examined the case thoroughly, and, dreading a renewal of the old controversy as to the justice of Savonarola's sentence, ordered the discussion to cease and the proceedings to continue without reference to it, which was a virtual decision in favor of the martyr's saintliness. In S. Maria Novella and S. Marco he is pictured as a saint, and in the frescos of the Vatican Raphael included him among the doctors of the Church. The Dominicans long cherished his memory, and were greatly disposed to regard him as a genuine prophet and uncanonized saint. When Clement

VIII., in 1598, hoped to acquire Ferrara, he is said to have made a vow that if successful he would canonize Savonarola, and the hopes of the Dominicans grew so sanguine that they composed a litany for him in advance. In fact, in many of the Dominican convents of Italy during the sixteenth century, on the anniversary of his execution an office was sung to him as to a martyr. His marvellous career thus furnishes the exact antithesis of that of his Ferrarese compatriot, Armanno Pongilupo—the one was venerated as a saint and then burned as a heretic, the other was burned as a heretic and then venerated as a saint.*

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* Wadding. ann. 1498, No. 23.—Landucci, p. 178.—Perrens, pp. 396–7.—Processo Autentico, pp. 524, 528.—Cantù, Eretici d'Italia, I. 234–5.—Benedicti PP. XIV. De Servorum Dei Beatificatione, Lib. III. c. xxv. §§ 17–20.—Brev. Hist. Ord. Prædic. (Martene, Ampl. Coll. VI. 394).—Reusch, Der Index der verbotenen Bücher, I. 368.

A goodly catalogue of miracles performed by Savonarola's intercession will be found piously chronicled by Burlamacchi and Bottonio (Baluz. et Mansi I. pp. 571–83).

CHAPTER V.

POLITICAL HERESY UTILIZED BY THE STATE.

It was inevitable that secular potentates should follow the example of the Church in the employment of a weapon so efficient as the charge of heresy, when they chanced to be in the position of controlling the ecclesiastical organization.

A typical illustration of this is seen when, during the anarchy which prevailed in Rome after the death of Innocent VII. in 1406, Basilio Ordelaffi incurred the enmity of the Colonnas and the Savelli, and they found that the easiest way to deal with him was through the Inquisition. Under their impulsion it seized him and two of his adherents, Matteo and Merenda. Through means procured by his daughter, Ordelaffi escaped from prison and was condemned *in contumaciam*. The others confessed—doubtless under torture—the heresies attributed to them, were handed over to the secular arm, and were duly burned. Their houses were torn down, and on their sites in time were erected two others, one of which afterwards became the dwelling of Michael Angelo and the other of Salvator Rosa.*

Secular potentates, however, had not waited till the fifteenth century to appreciate the facilities afforded by heresy and the Inquisition for the accomplishment of their objects. Already a hundred years earlier the methods of the Inquisition had suggested to Philippe le Bel the great crime of the Middle Ages—the destruction of the Order of the Temple.

When, in 1119, Hugues de Payen and Geoffroi de Saint-Adhémar with seven companions devoted themselves to the pious task of keeping the roads to Jerusalem clear of robbers, that pilgrims might traverse them in safety, and when Raymond du Puy about

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* Ripoll II. 566.—Wadding. ann. 1409, No. 12.—Tamburini, Storia Gen. dell' Inquis. II. 437–9.

the same time organized the Poor Brethren of the Hospital of St. John, they opened a new career which was irresistibly attractive to the warlike ardor and religious enthusiasm of the age. The strange combination of monasticism and chivalry corresponded so exactly to the ideal of Christian knighthood that the Military Orders thus founded speedily were reckoned among the leading institutions of Europe. At the Council of Troyes, in 1128, a Rule, drawn up it is said by St. Bernard, was assigned to Hugues and his associates, who were known as the Poor Soldiers of the Temple. They were assigned a white habit, as a symbol of innocence, to which Eugenius III. added a red cross, and their standard, *Bauséant*, half black and half white, with its legend, "*Non nobis Domine*," soon became the rallying-point of the Christian chivalry. The Rule, based upon that of the strict Cistercian Order, was exceedingly severe. The members were bound by the three monastic vows of obedience, poverty, and chastity, and these were enforced in the statutes of the Order with the utmost rigor. The applicant for admission was required to ask permission to become the serf and slave of the "House" forever, and was warned that he henceforth surrendered his own will irrevocably. He was promised bread and water and the poor vestments of the House; and if after death gold or silver were found among his effects his body was thrust into unconsecrated ground, or, if buried, it was exhumed. Chastity was prescribed in the same unsparing fashion, and even the kiss of a mother was forbidden.*

The fame of the Order quickly filled all Europe; knights of the noblest blood, dukes and princes, renounced the world to serve Christ in its ranks, and soon in its general chapter three hundred knights were gathered, in addition to serving brethren. Their possessions spread immensely. Towns and villages and churches and manors were bestowed upon them, from which the revenues

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* Jac. de Vitriaco Hist. Hierosol. cap. 65 (Bongars, II. 1083-4).—Rolewinck Fascic. Tempor. (Pistorii R. Germ. Scriptt. II. 546).—Regula Pauperum Commilitonum Templi c. 72 (Harduin. VI. II. 1146).—Règle et Statuts secrets des Templiers, §§ 125, 128 (Maillard de Chambure, Paris, 1840, pp. 455, 488-90, 494-5).

Since this chapter was written the Société de l'Histoire de France has issued a more correct and complete edition of the Rule and Statutes of the Templars, under the care of M. Henri de Curzon.

were sent to the Grand Master, whose official residence was Jerusalem, together with the proceeds of the collections of an organized system of beggary, their agents for which penetrated into every corner of Christendom. Scarce had the Order been organized when, in 1133, the mighty warrior, Alonso I. of Aragon, known as *el Batallador* and also as *el Emperador*, because his rule extended over Navarre and a large portion of Castile, dying without children, left his whole dominions to the Holy Sepulchre and to the Knights of the Temple and of the Hospital in undivided thirds; and though the will was not executed, the knights were promised and doubtless received compensation from his successor, Ramiro el Monje. More practical was the liberality of Philip Augustus, in 1222, when he left the two Orders two thousand marks apiece absolutely, and the enormous sum of fifty thousand marks each on condition of keeping in service for three years three hundred knights in the Holy Land. We can understand how, in 1191, the Templars could buy the Island of Cyprus from Richard of England for twenty-five thousand silver marks, although they sold it the next year for the same price to Gui, King of Jerusalem. We can understand, also, that this enormous development began to excite apprehension and hostility. At the Council of Lateran, in 1179, there was bitter strife between the prelates and the Military Orders, resulting in a decree which required the Templars to surrender all recently acquired churches and tithes—an order which, in 1186, Urban III. defined as meaning all acquired within the ten years previous to the council.*

This indicates that already the prelates were beginning to feel jealous of the new organization. In fact, the antagonism which

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* Jac. de Vitriaco loc. cit.—Robert de Monte Contin. Sigeb. Gembl. (Pistorii, op. cit. I. 875).—Zurita, Añales de Aragon, Lib. I. c. 52-3.—Art de Vérifier les Dates V. 337.—Teulet, Layettes, I. 559, No. 1547.—Grandes Chroniques, IV. 86. —Gualt. Mapes de Nugis Curialium Dist. I. c. xxiii.—Hans Prutz, Malteser Urkunden, München, 1883, p. 43.

A curious illustration of the prominence which the Templars were acquiring in the social organization is afforded in 1191, when they were made conservators of the Truce of God, by which the nobles and prelates of Languedoc and Provence agreed that beasts and implements and seed employed in agriculture should be unmolested in time of war. For enforcing this the Templars were to receive a bushel of corn for every plough.—Prutz, op. cit. pp. 44-5.

we have already traced in the thirteenth century between the Mendicant Orders and the secular clergy was but the repetition of that which had long existed with respect to the Military Orders. These from the first were the especial favorites of the Holy See, whose policy it was to elevate them into a militia depending solely on Rome, thus rendering them an instrument in extending its influence and breaking down the independence of the local churches. Privileges and immunities were showered upon them; they were exempted from tolls and tithes and taxes of all kinds; their churches and houses were endowed with the right of asylum; their persons enjoyed the inviolability accorded to ecclesiastics; they were released from all feudal obligations and allegiance; they were justiciable only by Rome; bishops were forbidden to excommunicate them, and were even ordered to refer to the Roman curia all the infinite questions which arose in local quarrels. In 1255, after the misfortunes of the crusade of St. Louis, alms given to their collectors were declared to entitle the donors to Holy Land indulgences. In short, nothing was omitted by the popes that would stimulate their growth and bind them firmly to the chair of St. Peter.*

Thus it was inevitable that antagonism should spring up between the secular hierarchy and the Military Orders. The Templars were continually complaining that the prelates were endeavoring to oppress them, to impose exactions, and to regain by various devices the jurisdiction from which the popes had relieved them; their right of asylum was violated; the priests interfered with their begging collectors, and repressed and intercepted the pious legacies designed for them; the customary quarrels over burials and burial-fees were numerous, for, until the rise of the Mendicants, and even afterwards, it was a frequent thing for nobles to order their sepulture in the Temple or the Hospital. To these complaints the popes ever lent a ready ear, and the favoritism which they manifested only gave a sharper edge to the hostility of the defeated prelates. In 1264 there was a threatened rupture between the papacy and the Temple. Étienne de Sissy, Marshal of the Order and Preceptor of Apulia, refused to assist

* Rymer, Fœdera, I. 30.—Can. 10, 11, Extra. III. 30.—Prutz, op. cit. pp. 38, 46, 48, 49, 51, 52, 53, 56-61, 64, 76, 78-9.

in the crusade preparing against Manfred, and was removed by Urban IV. When ordered to resign his commission he boldly replied to Urban that no pope had ever interfered with the internal affairs of the Order, and that he would resign his office only to the Grand Master who had conferred it. Urban excommunicated him, but the Order sustained him, being discontented because the succors levied for the Holy Land were diverted to the papal enterprise against Manfred. The following year a new pope, Clement IV., in removing the excommunication, bitterly reproached the Order for its ingratitude, and pointed out that only the support of the papacy could sustain it against the hostility of the bishops and princes, which apparently was notorious. Still the Order held out, and in common with the Hospitallers and Cistercians, refused to pay a tithe to Charles of Anjou, in spite of which Clement issued numerous bulls confirming and enlarging its privileges.*

That this antagonism on the part of temporal and spiritual potentates had ample justification there can be little doubt. If, as we have seen, the Mendicant Orders rapidly declined from the enthusiastic self-abnegation of Dominic and Francis, such a body as the Templars, composed of ambitious and warlike knights, could hardly be expected long to retain its pristine ascetic devotion. Already, in 1152, the selfish eagerness of the Grand Master, Bernard de Tremelai, to secure the spoils of Ascalon nearly prevented the capture of that city, and the fall of the Kingdom of Jerusalem was hastened when, in 1172, the savage ferocity of Eudes de Saint-

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* Prutz, op cit. pp. 38–41, 43, 45, 47–8, 57, 64–9, 75–80.—J. Delaville le Roulx, Documents concernant les Templiers Paris, 1882, p. 39.—Bini, Dei Templieri in Toscana, Lucca, 1845, pp. 453–55.—Raynald. anu. 1265, No. 75–6.—Martene Thesaur. II. 111, 118.

The systematic beggary of the Templars must have been peculiarly exasperating both to the secular clergy and the Mendicants. Monsignor Bini prints a document of 1244 in which the Preceptor of Lucca gives to Albertino di Pontremoli a commission to beg for the Order. Albertino employs a certain Aliotto to do the begging from June till the following Carnival, and pays him by empowering him to beg on his own account from the Carnival to the octave of Easter (op. cit. pp. 401–2, 439–40). For the disgraceful squabbles which arose between the secular clergy and the Military Orders over this privileged beggary, see Faucon, Registres de Boniface VIII. No. 1950, p. 746.

Amand, then Grand Master, prevented the conversion of the King of the Assassins and all his people. It was not without show of justification that about this time Walter Mapes attributes the misfortunes of the Christians of the East to the corruption of the Military Orders. By the end of the century we have seen from King Richard's rejoinder to Foulques de Neuilly that Templar was already synonymous with pride, and in 1207 Innocent III took the Order to task in an epistle of violent denunciation. His apostolic ears, he said, were frequently disturbed with complaints of their excesses. Apostatizing from God and scandalizing the Church, their unbridled pride abused the enormous privileges bestowed upon them. Employing doctrines worthy of demons, they give their cross to every tramp who can pay them two or three pence a year, and then assert that these are entitled to ecclesiastical services and Christian burial, even though laboring under excommunication. Thus ensnared by the devil they ensnare the souls of the faithful. He forbears to dwell further on these and other wickednesses by which they deserve to be despoiled of their privileges, preferring to hope that they will free themselves from their turpitude. A concluding allusion to their lack of respect towards papal legates probably explains the venomous vigor of the papal attack, but the accusations which it makes touch points on which there is other conclusive evidence. Although by the statutes of the Order the purchase of admission, directly or indirectly, was simony, entailing expulsion on him who paid and degradation on the preceptor who was privy to it, there can be no doubt that many doubtful characters thus effected entrance into the Order. The papal letters and privileges so freely bestowed upon them were moreover largely abused, to the vexation and oppression of those with whom they came in contact, for, exclusively justiciable in the Roman curia, they were secure against all pleaders who could not afford that distant, doubtful, and expensive litigation. The evils thence arising were greatly intensified when the policy was adopted of forming a class of serving brethren, by whom their extensive properties were cultivated and managed without the cost of hired labor. Churls of every degree, husbandmen, shepherds, swineherds, mechanics, household servants, were thus admitted into the Order, until they constituted at least nine tenths of it, and although these were distinguished by a brown mantle in place of the white gar-

ment of the knights, and although they complained of the contempt and oppression with which they were treated by their knightly brethren, nevertheless, in their relations with the outside world, they were full members of the Order, shrouded with its inviolability and entitled to all its privileges, which they were not likely by moderation to render less odious to the community.*

Thus the knights furnished ample cause for external hostility and internal disquiet, though there is probably no ground for the accusation that, in 1229, they betrayed Frederic II. to the infidel, and, in 1250, St. Louis to the Soldan of Egypt. Yet Frederic II. doubtless had ample reason for dissatisfaction with their conduct during his crusade, which he revenged by expelling them from Sicily in 1229, and confiscating their property; and though he recalled them soon after and assumed to restore their possessions, he retained a large portion. Still, pious liberality continued to increase the wealth of the Order, though as the Christian possessions in the

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* Guillel. Tyrii Hist. Lib. XVII. c. 27; XX. 31–2.—Gualt. Mapes de Nugis Curialium Dist. I. c. XX.—Innoc. PP. III. Regest. X. 121. Cf. XV. 131.—Règle et Statuts secrets, § 173, p. 389.—Michelet, Procès des Templiers, I. 39; II. 9, 83, 140, 186–7, 406–7 (Collection de Documents inedits, Paris, 1841–51).

When, in 1307, the Templars at Beaucaire were seized, out of sixty arrested, five were knights, one a priest, and fifty-four were serving brethren; in June, 1310, out of thirty-three prisoners in the Château d'Alais, there were four knights and one priest, with twenty-eight serving brethren (Vaissette, IV. 141). In the trials which have reached us the proportion of knights is even less. The serving brethren occasionally reached the dignity of preceptor; but how little this implies is shown by the examination, in June, 1310, of Giovanni di Neritone, Preceptor of Castello Villari, a serving brother, who speaks of himself as "*simplex et rusticus*" (Schottmüller, Der Ausgang des Templer-Ordens, Berlin, 1887, II. 125, 130).

The pride of birth in the Order is illustrated by the rule that none could be admitted as knights except those of knightly descent. In the Statutes a case is cited of a knight who was received as such; those who were of his country declared that he was not the son of a knight. He was sent for from Antioch to a chapter where this was found to be true, when the white mantle was removed and a brown one put on him. His receptor was then in Europe, and when he returned to Syria he was called to account. He justified himself by his having acted under the orders of his commander of Poitou. This was found to be true; otherwise, and but that he was a good knight (*preudons*), he would have lost the habit (Règle, § 125, pp. 462–3).

East shrank more and more, people began to attribute the ceaseless misfortunes to the bitter jealousy and animosity existing between the rival Orders of the Temple and the Hospital, which in 1243 had broken out into open war in Palestine, to the great comfort of the infidel. A remedy was naturally sought in a union of the two Orders, together with that of the Teutonic Knights. At the Council of Lyons, in 1274, Gregory X. vainly endeavored to effect this, but the countervailing influences, including, it was said, the gold of the brethren, were too powerful. In these reproaches perhaps the Orders were held to an undeserved accountability, for while their quarrels and the general misconduct of the Latins in Palestine did much to wreck the kingdom of Jerusalem, the real responsibility lay rather with the papacy. When thousands of heretics were sent as crusaders in punishment, the glory of the service was fatally tarnished. When money raised and vows taken for the Holy Land were diverted to the purposes of the papal power in Italy, when the doctrine was publicly announced that the home interests of the Holy See were more important than the recovery of the Holy Sepulchre, the enthusiasm of Christendom against the infidel was chilled. When salvation could be gained at almost any time by a short term of service near home in the quarrels of the Church, whether on the Weser or in Lombardy, the devotion which had carried thousands to the Syrian deserts found a less rugged and a safer path to heaven. It is easy thus to understand how in the development of papal aggrandizement through the thirteenth century recruits and money were lacking to maintain against the countless hordes of Tartars the conquests of Godfrey of Bouillon. In addition to all this the Holy Land was made a penal settlement whither were sent the malefactors of Europe, rendering the Latin colony a horde of miscreants whose crimes deserved and whose disorders invited the vengeance of Heaven.*

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* Matt. Paris. ann. 1238, 1243 (Ed. 1644, p. 240, 420).—Mansuet le Jeune, Hist. des Templiers, Paris, 1789, I. 340-1.—Prutz, op. cit. pp. 60-1.—Mag. Chron. Belgic. ann. 1274.—Faucon, Registres de Boniface VIII. No. 1691-2, 1697.—Marin. Sanuti Secret. Fidel. Lib. III. P. ix. c. 1, 2 (Bongars, II. 188-9).

The Hospital was open to the same reproaches as the Temple. In 1238 Gregory IX. vigorously assailed the Knights of St. John for their abuse of the privileges bestowed on them—their unchastity and the betrayal of the cause of

With the fall of Acre, in 1291, the Christians were driven definitely from the shores of Syria, causing intense grief and indignation throughout Europe. In that disastrous siege, brought on by the perfidy of a band of crusaders who refused to observe an existing truce, the Hospital won more glory than the Temple, although the Grand Master, Guillaume de Beaujeu, had been chosen to command the defence, and fell bravely fighting for the cross. After the surrender and massacre, his successor, the monk Gaudini, sailed for Cyprus with ten knights, the sole survivors of five hundred who had held out to the last. Again, not without reason, the cry went up that the disaster was the result of the quarrels between the Military Orders, and Nicholas IV. promptly sent letters to the kings and prelates of Christendom asking their opinions on the project of uniting them, in view of the projected crusade which was to sail on St. John's day, 1293, under Edward I. of England. At least one affirmative answer was received from the provincial council of Salzburg, but ere it reached Rome Nicholas was dead. A long interregnum, followed by the election of the hermit Pier Morrone, put an end to the project for the time, but it was again

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God in Palestine. He even asserts that there are not a few heretics among them. —Raynald. ann. 1238, No. 81-2.

A sirvente by a Templar, evidently written soon after the fall of Acre, alludes bitterly to the sacrifice made of the Holy Land in favor of the ambition and cupidity of the Holy See—

"Lo papa fa de perdon gran largueza
Contr' Alamans ab Arles e Frances;
E sai mest nos mostram gran cobreza,
Quar nostras crotz van per crotz de tornes;
E qui vol camjar Romania
Per la guerra de Lombardia?
Nostres legatz, don yeu vos dic per ver
Qu'els vendon Dieu el perdon per aver."—

Meyer, *Recueil d'anciens Textes*, p. 96.

It is also to be borne in mind that indulgences were vulgarized in many other ways. When St. Francis announced to Honorius III. that Christ had sent him to obtain plenary pardons for those who should visit the Church of S. Maria di Porziuncola, the cardinals at once objected that this would nullify the indulgences for the Holy Land, and Honorius thereupon limited the Portiuncula indulgence to the twenty-four hours commencing with the vespers of August 1.—Amoni, Legenda S. Francisci, Append. c. xxxiii.

taken up by Boniface VIII., to be interrupted and laid aside, probably by his engrossing quarrel with Philippe le Bel. What was the drift of public opinion at the time is probably reflected in a tract on the recovery of the Holy Land addressed to Edward I. It is there proposed that the two Orders, whose scandalous quarrels have rendered them the object of scorn, shall be fused together and confined to their eastern possessions, which should be sufficient for their support, while their combined revenues from their western property, estimated at eight hundred thousand livres Tournois per annum, be employed to further the crusade. Evidently the idea was spreading that their wealth could be seized and used to better purpose than it was likely to be in their hands.*

Thus the Order was somewhat discredited in popular estimation when, in 1297, Jacques de Molay, whose terrible fate has cast a sombre shadow over his name through the centuries, was elected Grand Master, after a vigorous and bitter opposition by the partisans of Hugues de Peraud. A few years of earnest struggle to regain a foothold in Palestine seemed to exhaust the energy and resources of the Order, and it became quiescent in Cyprus. Its next exploit, though not official, was not of a nature to conciliate public opinion. Charles de Valois, the evil genius of his brother Philippe le Bel, and of his nephews, in 1300 married Catherine, granddaughter of Baldwin II. of Constantinople, and titular empress. In 1306 he proposed to make good his wife's claims on the imperial throne, and he found a ready instrument in Clement V, who persuaded himself that the attempt would not be a weakening of Christianity in the East, but a means of recovering Palestine, or at least of reducing the Greek Church to subjection. He therefore endeavored to unite the Italian republics and princes in this crusade against Christians. Charles II of Naples undertook an expedition in conjunction with the Templars. A fleet was fitted out under the command of Roger, a Templar of high reputation for skill and audacity. It captured Thessalonica, but in place of actively pursuing Andronicus II., the Templars turned their

* Mansuet, op. cit. II. 101, 133.—De Excidio Urbis Acconis (Martene Ampl. Coll. V. 757).—Raynald ann. 1291, No. 30, 31.—Archives Nat. de France, J. 431, No. 40.—Chron. Salisburg. ann. 1291 (Canisii et Basnage III. II. 489).—Annal. Eberhard. Altahens. (Ib. IV. 229).—De Recuperatione Terræ Sanctæ (Bongars, II. 320-1).

arms against the Latin princes of Greece, ravaged cruelly the shores of Thrace and the Morea, and returned with immense booty, having aroused enmities which were an element in their downfall. In contrast to this the Hospitallers were acquiring fresh renown as the champions of Christ by gallantly conquering, after a four years' struggle, the island of Rhodes, in which they so long maintained the cause of Christianity in the East. In 1306 Clement V. sent for de Molay and Guillaume de Villaret, Grand Master of the Hospitallers, to consult about a new crusade and the often discussed project of the union of the Orders. He told them to come as secretly as possible, but while the Hospitaller, engrossed with preparations for the siege of Rhodes, excused himself, de Molay came in state, with a retinue of sixty knights, and manifested no intention of returning to his station in the East. This well might arouse the question whether the Templars were about to abandon their sphere of duty, and if so, what were the ambitious schemes which might lead them to transfer their headquarters to France. The Teutonic knights in withdrawing from the East were carving out for themselves a kingdom amid the Pagans of northeastern Europe. Had the Templars any similar aspirations nearer home? *

* Raynald. ann. 1306, No. 3–5, 12.—Regest. Clement. PP. V. (Ed. Benedict. T. I. pp. 40–46; T. II. p. 55, 58, Romæ, 1885–6).—Mansuet, op. cit. II. 132.—Raynouard, Monuments historiques relatifs a la Condamnation des Chevaliers du Temple, Paris, 1813, pp. 17, 46.

The summons to the Grand Master of the Hospital is dated June 6, 1306, (Regest. Clem. PP. V. T. I. p. 190). That to de Molay was probably issued at the same time. From some briefs of Clement, June 13, 1306, in favor of Humbert Blanc, Preceptor of Auvergne, it would seem that the latter was engaged in some crusading enterprise (Ibid. pp. 191–2), probably in connection with the attempt of Charles of Valois. When Hugues de Peraud, however, and other chiefs of the Order were about to sail, in November, Clement retained them (Ib. T. II. p. 5).

It has rather been the fashion with historians to assume that de Molay transferred the headquarters of the Order from Cyprus to Paris. Yet when the papal orders for arrest reached Cyprus, on May 27, 1308, the marshal, draper, and treasurer surrendered themselves with others, showing that there had been no thought of removing the active administration of the Order.—(Dupuy, Traitez concernant l'Histoire de France, Ed. 1700, pp. 63, 132). Raimbaut de Caron, Preceptor of Cyprus, apparently had accompanied de Molay, and was arrested with him in the Temple of Paris (Procès des Templiers, II. 374), but with this exception all the principal knights seized were only local dignitaries.

I think also that Schottmüller (Der Untergang des Templer-Ordens, Berlin,

Suspicions of the kind might not unnaturally be excited, and yet be wholly without foundation. Modern writers have exercised their ingenuity in conjecturing that there was a plot on hand for the Templars to seize the south of France and erect it into an independent kingdom. The Order had early multiplied rapidly in the provinces from the Garonne to the Rhone; it is assumed that they were deeply tinctured with Catharism, and held relations with the concealed heretics in those regions. All this is the sheerest assumption without the slightest foundation. There was not a trace of Catharism in the Order,* and we have seen how by this time the Cathari of Languedoc had been virtually exterminated, and how the land had been Gallicized by the Inquisition. Such an alliance would have been a source of weakness, not of strength, for it would have brought upon them all Europe in arms, and had there been a shred of evidence to that effect, Philippe le Bel would have made the most of it. Neither can it be assumed that they were intriguing with the discontented, orthodox population. Bernard Délicieux and the Carcassais would never have turned to the feeble Ferrand of Majorca if they could have summoned to their assistance the powerful Order of the Temple. Yet even the Order of the Temple, however great might have been its aggregate, was fatally weakened for such ambitious projects by being scattered in isolated fragments over the whole extent of Europe; and its inability to concentrate its forces for either aggression or defence was shown when it surrendered with scarce an effort at self-preservation in one country after another. Besides, it was by no means so numerous and wealthy as has been popularly supposed. The dramatic circumstances of its destruction have inflamed the imagination of all who have written about it, leading to a not unnatural exaggeration in contrasting its prosperity and its misery. An anonymous contemporary tells us that the Templars were so

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1887, I. 66, 99; II. 38) sufficiently proves the incredibility of the story of the immense treasure brought to France by de Molay, and he further points out (I. 98) that the preservation of the archives of the Order in Malta shows that they could not have been removed to France.

* Perhaps the most detailed and authoritative contemporary account of the downfall of the Templars is that of Bernard Gui (Flor. Chronic. ap. Bouquet XXI. 716 sqq.). It is impossible to doubt that had there been anything savoring of Catharism in the Order he would have scented it out and alluded to it.

rich and powerful that they could scarce have been suppressed but for the secret and sudden movement of Philippe le Bel. Villani, who was also a contemporary, says that their power and wealth were well-nigh incomputable. As time went on conceptions became magnified by distance. Trithemius assures us that it was the richest of all the monastic Orders, not only in gold and silver, but in its vast dominions, towns and castles in all the lands of Europe. Modern writers have even exceeded this in their efforts to present definite figures. Maillard de Chambure assumes that at the time of its downfall it numbered thirty thousand knights with a revenue of eight million livres Tournois. Wilcke estimates its income at twenty million thalers of modern money, and asserts that in France alone it could keep in the field an army of fifteen thousand cavaliers. Zöckler calculates its income at fifty-four millions of francs, and that it numbered twenty thousand knights. Even the cautious Havemann echoes the extravagant statement that in wealth and power it could rival all the princes of Christendom, while Schottmüller assumes that in France alone there were fifteen thousand brethren, and over twenty thousand in the whole Order.*

The peculiar secrecy in which all the affairs of the Order were shrouded renders such estimates purely conjectural. As to numbers, it has been overlooked that the great body of members were serving brethren, not fighting-men—herdsmen, husbandmen, and menials employed on the lands and in the houses of the knights, and adding little to their effective force. When they considered it a legitimate boast that in the one hundred and eighty years of their active existence twenty thousand of the brethren had perished in Palestine, we can see that at no time could the roll of knights have exceeded a few thousand at most. At the Council of Vienne the dissolution of the Order was urged on the ground that more than two thousand depositions of witnesses had been taken, and as these depositions covered virtually all the prisoners

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* Wilcke, Geschichte des Ordens der Tempelherren, II. Ausgabe, 1860, II. 51, 103–4, 183.—Chron. Anonyme (Bouquet, XXI. 149).—Villani Cron. VII. 92.—Mag. Chron. Belgic. (Pistor. III. 155).—Trithem. Chron. Hirsaug. ann. 1307.—Règle et Statuts secrets, p. 64.—Real-Encyklop. XV. 305.—Havemann, Geschichte des Ausgangs des Tempelherrenordens, Stuttgart, 1846, p. 165.—Schottmüller, op. cit. I. 236, 695.

examined in France, England, Spain, Italy, and Germany, whose evidence could be used, it shows that the whole number can only have been insignificant in comparison with what had been generally imagined. Cyprus was the headquarters of the Order after the fall of Acre, yet at the time of the seizure there were but one hundred and eighteen members there of all ranks, and the numbers with which we meet in the trials everywhere are ludicrously out of proportion with the enormous total popularly attributed to the Order. A contemporary, of warmly papalist sympathies, expresses his grief at the penalties righteously incurred by fifteen thousand champions of Christ, which may be taken as an approximate guess at the existing number; and if among these we assume fifteen hundred knights, we shall probably be rather over than under the reality. As for the wealth of the Order, in the general effort to appropriate its possessions it was every one's interest to conceal the details of the aggregate, but we chance to have a standard which shows that the estimates of its supereminent riches are grossly exaggerated. In 1244 Matthew Paris states that it possessed throughout Christendom nine thousand manors, while the Hospitallers had nineteen thousand. Nowhere was it more prosperous than in Aquitaine, and about the year 1300, in a computation of a tithe granted to Philippe le Bel, in the province of Bordeaux, the Templars are set down at six thousand livres, the Hospitallers at the same, while the Cistercians are registered for twelve thousand. In the accounts of a royal collector in 1293 there are specified in Auvergne fourteen Temple preceptories, paying in all three hundred and ninety-two livres, while the preceptories of the Hospitallers number twenty-four, with a payment of three hundred and sixty-four livres. It will be remembered that a contemporary writer estimates the combined revenues of the two Orders at eight hundred thousand livres Tournois per annum, and of this the larger portion probably belonged to the Hospital.*

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* Procès des Templiers, I. 144.—Raynald. ann. 1307, No. 12; ann. 1311, No. 53.—Schottmüller, op. cit. I. 465.—Ferreti Vicentini Hist. (Muratori S. R. I. IX. 1018).—Matt. Paris. ann. 1244 (p. 417).—Dom Bouquet, XXI. 545.—Chassaing, Spicilegium Brivatense, pp. 212-13.

An illustration of the exaggerations current as to the Templars is seen in the assertion, confidently made, that in Roussillon and Cerdagne the Order owned

Yet the wealth of the Order was more than sufficient to excite the cupidity of royal freebooters, and its power and privileges quite enough to arouse distrust in the mind of a less suspicious despot than Philippe le Bel. Many ingenious theories have been advanced to explain his action, but they are superfluous. In his quarrel with Boniface VIII., though the Templars were accused of secretly sending money to Rome in defiance of his prohibition, they stood by him and signed an act approving and confirming the assembly of the Louvre in June, 1303, where Boniface was formally accused of heresy, and an appeal was made to a future council to be assembled on the subject. So cordial, in fact, was the understanding between the king and the Templars that royal letters of July 10, 1303, show that the collection of all the royal revenues throughout France was intrusted to Hugues de Peraud, the Visitor of France, who had narrowly missed obtaining the Grand Mastership of the Order. In June, 1304, Philippe confirmed all their privileges, and in October he issued an Ordonnance granting them additional ones and speaking of their merits in terms of warm appreciation. They lent him, in 1299, the enormous sum of five hundred thousand livres for the dowry of his sister. As late as 1306, when Hugues de Peraud had suffered a loss of two thousand silver marks deposited with Tommaso and Vanno Mozzi, Florentine bankers, who fraudulently disappeared, Philippe promptly intervened and ordered restitution of the sum by Aimon, Abbot of S. Antoine, who had gone security for the bankers. When in his extreme financial straits he debased the coinage until a popular insurrection was excited in Paris, it was in the Temple that he took refuge, and it was the Templars that defended him against the assaults of the mob. But these very obligations were too great to be incurred by a monarch who was striving to render himself absolute, and the recollection of them could hardly fail to suggest that the Order was a dangerous factor in a kingdom where feudal

half the land, while an examination of its Cartulary shows that in reality it possessed but four lordships, together with fragmentary rights over rents, tithes, or villeins in seventy other places. A single abbey, that of St. Michel de Cuxa, possessed thirty lordships and similar rights in two hundred other places, and there were two other abbeys, Arles, and Cornella and Conflent, each richer than the Templars.—Allart, Bulletin de la Société Agricole, Scientifique et Littéraire des Pyrénées Orientales, T. XV. pp. 107–8.

institutions were being converted into a despotism. While it might not have strength to sever a portion of the provinces and erect an independent principality, it might at any moment become a disagreeable element in a contest with the great feudatories to whom the knights were bound by common sympathies and interests. He was engaged in reducing them to subjection by the extension of the royal jurisdiction, and the Templars were subject to no jurisdiction save that of the Holy See. They were not his subjects; they owed him no obedience or allegiance; he could not summon them to perform military service as he could his bishops, but they enjoyed the right to declare war and make peace on their own account without responsibility to any one; they were clothed in all the personal inviolability of ecclesiastics, and he possessed no means of control over them as he did with the hierarchy of the Gallican Church. They were exempt from all taxes and tolls and customs dues; their lands contributed nothing to his necessities, save when he could wring from the pope the concession of a tithe. While thus in every way independent of him, they were bound by rules of the blindest and most submissive obedience to their own superiors. The command of the Master was received as an order from God; no member could have a lock upon a bag or trunk, could bathe or let blood, could open a letter from a kinsman without permission of his commander, and any disobedience forfeited the habit and entailed imprisonment in chains, with its indelible disabilities. It is true that in 1295 there had been symptoms of turbulence in the Order, when the intervention of Boniface VIII. was required to enforce subjection to the Master, but this had passed away, and the discipline within its ranks was a religious obligation which rendered it vastly more efficient for action than the elastic allegiance of the vassal to his seigneur. Such a body of armed warriors was an anomaly in a feudal organization, and when the Templars seemed to have abandoned their military activity in the East, Philippe, in view of their wealth and numbers in France, may well have regarded them as a possible obstacle to his schemes of monarchical aggrandizement to be got rid of at the first favorable moment. At the commencement of his reign he had endeavored to put a stop to the perpetual acquisitions of both the religious Orders and the Templars, through which increasing bodies of land were falling under mainmorte, and the fruitlessness

of the effort must have strengthened his convictions of its necessity. If it be asked why he attacked the Templars rather than the Hospitallers, the answer is probably to be found in the fact that the Temple was the weaker of the two, while the secrecy shrouding its ritual rendered it an object of popular suspicion.*

Walsingham asserts that Philippe's design in assailing the Templars was to procure for one of his younger sons the title of King of Jerusalem, with the Templar possessions as an appanage. Such a project was completely within the line of thought of the time, and would have resulted in precipitating Europe anew upon Syria. It may possibly have been a motive at the outset, and was gravely discussed in the Council of Vienne in favor of Philippe le Long, but it is evident that no sovereign outside of France would have permitted the Templar dominions within his territories to pass under the control of a member of the aspiring house of Capet.†

For the explanation of Philippe's action, however, we need hardly look further than to financial considerations. He was in desperate straits for money to meet the endless drain of the Flemish war. He had imposed taxes until some of his subjects were in revolt, and others were on the verge of it. He had debased the currency until he earned the name of the Counterfeiter, had found himself utterly unable to redeem his promises, and had discovered by experience that of all financial devices it was the most costly and ruinous. His resources were exhausted and his scruples were few. The stream of confiscations from Languedoc was beginning to run dry, while the sums which it had supplied to the royal treasury for more than half a century had shown the profit which was derivable from well-applied persecution of heresy. He had just car-

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* Du Puy, Hist. du Differend, Preuves, pp. 136–7.—Baudouin, Lettres inédites de Philippe le Bel, p. 163.—Maillard de Chambure, p. 61.—Grandes Chroniques, V. 173.—Raynouard, pp. 14, 21.—Rymer, I. 30.—Regest. Clement. PP. V. T. I. p. 102 (Ed. Benedict. Romæ, 1885).—Prutz, pp. 23, 31, 38, 46, 49, 51–2, 59, 76, 78, 79, 80.—Règle et Statuts, § 29, p. 226; § 58, pp. 249, 254; § 126, pp. 463–4.—Thomas, Registres de Boniface VIII. T. I. No. 490.—Baudouin, op. cit. p. 212.

Schottmüller (Der Untergang des Templer-Ordens, Berlin, 1887, I. 65) conjectures that the loan of five hundred thousand livres to Philippe is probably a popular error arising from the intervention of the Templars as bankers in the payment of the dowry.

† D'Argentré I. i. 280.—Wilcke, op. cit. II. 304–6.

ried out a financial expedient of the same kind as his dealings with the Templars, by arresting all the Jews of the kingdom simultaneously, stripping them of their property, and banishing them under pain of death. A memorandum of questions for consideration, still preserved in the Trésor des Chartres, shows that he expected to benefit in the same way from the confiscation of the Templar possessions, while, as we shall see, he overlooked the fact that these, as ecclesiastical property, were subject to the imprescriptible rights of the Church.*

The stories about Squin de Florian, a renegade Templar, and Noffo Dei, a wicked Florentine, both condemned to death and concocting the accusations to save themselves, are probably but the conception of an imaginative chronicler, handed down from one annalist to another.† Such special interposition was wholly unnecessary. The foolish secrecy in which the Templars enveloped their proceedings was a natural stimulus of popular curiosity and suspicion. Alone among religious Orders, the ceremonies of reception were conducted in the strictest privacy; chapters were held at daybreak with doors closely guarded, and no participant was allowed to speak of what was done, even to a fellow-Templar not concerned in the chapter, under the heaviest penalty known—that of expulsion. That this should lead to gossip and stories of rites too repulsive and hideous to bear the light was inevitable. It was the one damaging fact against them, and when Humbert Blanc, Preceptor of Auvergne, was asked on his trial why such secrecy was observed if they had nothing to conceal, he could only answer "through folly." Thus it was common report that the neophyte was subjected to the humiliation of kissing the posteriors of his preceptor—a report which the Hospitallers took special pleasure in circulating. That unnatural lusts should be attributed to the Order is easily understood, for it was a prevalent vice of the Middle Ages, and one to which monastic communities were espe-

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* Guill. Nangiac. Contin. ann. 1306.—Vaissette, IV. 135.—Raynouard, p. 24.

† Villani, Cron. VIII. 92.—Amalr. Augerii Vit. Clem. V. (Muratori S. R. I. III. II. 443-44).—S. Antonini Hist. (D'Argentré I. I. 281).—Trithem. Chron. Hirsaug. ann. 1307.—Raynald. ann. 1307, No. 12. The best-informed contemporaries, Bernard Gui, the Continuation of Nangis, Jean de S. Victor, the Grandes Chroniques, say nothing about this story.

cially subject; as recently as 1292 a horrible scandal of this kind had led to the banishment of many professors and theologians of the University of Paris. Darker rumors were not lacking of unchristian practices introduced in the Order by a Grand Master taken prisoner by the Soldan of Babylon, and procuring his release under promise of rendering them obligatory on the members. There was also a legend that in the early days of the Order two Templars were riding on one horse in a battle beyond seas. The one in front recommended himself to Christ and was sorely wounded; the one behind recommended himself to him who best could help, and he escaped. The latter was said to be the demon in human shape who told his wounded comrade that if he would believe him the Order would grow in wealth and power. The Templar was seduced, and thence came error and unbelief into the organization. We have seen how readily such stories obtained credence throughout the Middle Ages, how they grew and became embroidered with the most fantastic details. The public mind was ripe to believe anything of the Templars; a spark only was needed to produce a conflagration.*

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* Règle et Statuts secrets, § 81, p. 314; § 124, p. 448.—Wilkins Concilia II. 338.—Procès des Templiers, I. 186–7, 454; II. 139, 153, 195–6, 223, 440, 445, 471.—S. Damiani Lib. Gomorrhian.—Guillel. Nangiac. anu. 1120.—Alani de Insulis Lib. de Planctu Naturæ.—Gualt. Mapes de Nugis Curialium I. xxiv.—Prediche del B. Fra Giordano da Rivalto, Firenze, 1831, I. 230.—Regest. Clement. PP. V. T. V. p. 259 (Ed. Benedictin. Romæ, 1887).—Alvar. Pelag. de Planct. Eccles. Lib. II. Art. ii. fol. lxxxiii.—Memoires de Jacques Du Clercq, Liv. III. ch. 42; Liv. IV. ch. 3.—Rogeri Bacon Compend. Studii Philosophiæ cap. ii. (M. R. Series I. 412).

Unnatural crime was subject to ecclesiastical jurisdiction and the punishment was burning alive (Très Ancien Cout. de Bretagne, Art. 112, 142 *ap.* Bourdot de Richebourg, IV. 227, 232.—Statuta Criminalia Mediolani e tenebris in lucem edita, cap. 51, Bergomi, 1594). An instance of the infliction of the penalty by secular justice is recorded at Bourges in 1445 (Jean Chartier, Hist. de Charles VII. Ed. Godefroy, p. 72), and another at Zurich in 1482 (V. Anshelm, Die Berner Chronik, Bern, 1884, I. 221), though in 1451 Nicholas V. had subjected the crime to the Inquisition (Ripoll III. 301). D'Argentré says "Hæc pœna toto regno et vulgo statutis Italiæ indicitur per civitates, sed pene irritis legibus" (Comment. Consuetud. Duc. Britann. p. 1810). In England it was a secular crime, punishable by burning alive (Horne, Myrror of Justice, cap. IV. § 14) and in Spain by castration and lapidation (El Fuero real de España, Lib. IV. Tit. ix. l. 2).

The gossiping experiences in Syria and Italy of Antonio Sicci da Vercelli, as

Philippe's ministers and agents—Guillaume de Nogaret, Guillaume de Plaisian, Renaud de Roye, and Enguerrand de Marigny—were quite fitted to appreciate such an opportunity to relieve the royal exchequer, nor could they be at a loss in finding testimony upon which to frame a formidable list of charges, for we have already seen how readily evidence was procured from apparently respectable witnesses convicting Boniface VIII. of crimes equally atrocious. In the present case the task was easier: the Templars could have been no exception to the general demoralization of the monastic Orders, and in their ranks there must have been many desperate adventurers, ready for any crime that would bring a profit. Expelled members there were in plenty who had been ejected for their misdeeds, and who could lose nothing by gratifying their resentments. Apostates also were there who had fled from the Order and were liable to imprisonment if caught, besides the crowd of worthless ribalds whom the royal agents could always secure when evidence for any purpose was wanted. These were quietly collected by Guillaume de Nogaret, and kept in the greatest secrecy at Corbeil under charge of the Dominican, Humbert. Heresy was, of course, the most available charge to bring. The Inquisition was there as an unfailing instrument to secure conviction. Popular rumor, no matter by whom affirmed, was sufficient to require arrest and trial, and when once on trial there were few indeed from whom the inquisitorial process could not wring conviction. When once the attempt was determined upon the result was inevitable.*

Still, the attempt could not be successful without the concurrence of Clement V, for the inquisitorial courts, both of the Holy Office and of the bishops, were under papal control, and, besides, public opinion would require that the guilt of the Order should

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related before the papal commission in March, 1311, show the popular belief that there was a terrible secret in the Order which none of its members dared reveal (Procès, I. 644–5).

It is perhaps a coincidence that in 1307 the Teutonic Order was likewise accused of heresy by the Archbishop of Riga. Its Grand Master, Carl Beffart, was summoned by Clement, and with difficulty averted from his Order the fate of the Templars.—Wilcke, II. 118.

* Procès des Templiers, I. 36, 168.—Chron. Anonyme (Bouquet, XXI. 137).—Joann. de S. Victor. (Bouquet, XXI. 649–50).

be proved in other lands besides France. To enable Philippe to enjoy the expected confiscations in his own dominions, confiscation must be general throughout Europe, and for this the cooperation of the Holy See was essential. Clement subsequently declared that Philippe broached the subject to him in all its details before his coronation at Lyons, November 14, 1305,* but the papal bulls throughout the whole matter are so infected with mendacity that slender reliance is to be placed on their statements. Possibly some allusion may have been made to the current reports defaming the Order, but Clement is probably not subject to the imputation which historians have thrown upon him, that his summons to de Molay and de Villaret in 1306 was purely a decoy. It seems to me reasonable to conclude that he sent for them in good faith, and that de Molay's own imprudence in establishing himself in France, as though for a permanence, excited at once the suspicions and cupidity of the king, and ripened into action what had previously been merely a vague conception.†

If such was the case, Philippe was not long in maturing the project, nor were his agents slow in gathering material for the accusation. In his interview with Clement at Poitiers, in the spring of 1307, he vainly demanded the condemnation of the memory of Boniface VIII., and, failing in this, he brought forward the charges against the Templars, while temporarily dropping the other matter, but with equal lack of immediate result. Clement sent for de Molay, who came to him with Raimbaud de Caron, Preceptor of Cyprus, Geoffroi de Gonneville, Preceptor of Aquitaine and Poitou, and Hugues de Peraud, Visitor of France, the principal officers of the Order then in the kingdom. The charges were communicated to them in all their foulness. Clem-

* Bull. *Pastoralis præeminentiæ* (Mag. Bull. Rom. Supplem. IX. 126).—Bull. *Faciens misericordiam* (Ib. p. 136).—The Itineraries of Philippe and the record of pastoral visitations by Bertrand de Goth (Clement V.) sufficiently disprove the legendary story, originating with Villani, of the conditions entered into in advance at St. Jean d'Angely between Philippe and Clement (see van Os, De Abolitione Ordinis Templariorum, Herbipoli, 1874, pp. 14–15). None the less, however, was Clement practically subordinated to Philippe.

† Schottmüller's theory (Der Untergang des Templer-Ordens, I. 91) that Clement summoned the chiefs of the two Military Orders to arrange with them for the protection of the Holy See against Philippe appears to me destitute of all probability.

ent subsequently had the audacity to declare to all Europe that de Molay before his arrest confessed their truth in the presence of his subordinates and of ecclesiastics and laymen, but this is a manifest lie. The Templars returned to Paris evidently relieved of all anxiety, thinking that they had justified themselves completely, and de Molay, on October 12, the eve of the arrest, had the honor to be one of the four pall-bearers at the obsequies of Catharine, wife of Charles de Valois, evidently for the purpose of lulling him with a sense of security. Nay, more, on August 24, Clement had written to Philippe urging him to make peace with England, and referring to his charges against the Templars in their conversations at Lyons and Poitiers, and the representations on the subject made by his agents. The charges, he says, appear to him incredible and impossible, but as de Molay and the chief officers of the Order had complained of the reports as injurious, and had repeatedly asked for an investigation, offering to submit to the severest punishment if found guilty, he proposes in a few days, on his return to Poitiers, to commence, with the advice of his cardinals, an examination into the matter, for which he asks the king to send him the proofs.*

No impression had evidently thus far been made upon Clement, and he was endeavoring, in so far as he dared, to shuffle the affair aside. Philippe, however, had under his hands the machinery requisite to attain his ends, and he felt assured that when the Church was once committed to it, Clement would not venture to withdraw. The Inquisitor of France, Guillaume de Paris, was his confessor as well as papal chaplain, and could be relied upon. It was his official duty to take cognizance of all accusations of heresy, and to summon the secular power to his assistance, while his awful authority overrode all the special immunities and personal inviolability of the Order. As the Templars were all defamed for heresy by credible witnesses, it was strictly according to legal form for Frère Guillaume to summon Philippe to arrest those within his territories and bring them before the Inquisition for trial. As

* Villani Chron. VIII. 91-2.—Raynald. ann. 1311, No. 26.—Ptol. Lucens. Hist. Eccles. Lib. XXIV. (Muratori S. R. I. XI. 1228).—Contin. Guill. Nangiac. ann. 1307. —Raynouard, pp. 18, 19.—Van Os De Abol. Ord. Templar. p. 43.—Procès des Templiers, II. 400.—Mag. Bull. Rom. IX. 131.—Procès, I. 95.—Du Puy, Traitez concernant l'Histoire de France, Paris, 1700, pp. 10, 117.

the enterprise was a large one, secrecy and combined operations were requisite for its success, and Philippe, as soon as Clement's letter had shown him that he was not to expect immediate papal co-operation, lost no time. He always asserted that he had acted under requisition from the inquisitor, and excused his haste by declaring that his victims were collecting their treasures and preparing to fly. On September 14 royal letters were sent out to the king's representatives throughout France, ordering the simultaneous arrest, under authority from Frère Guillaume, of all members of the Order on October 13, and the sequestration of all property. Frère Guillaume, on September 20, addressed all inquisitors and all Dominican priors, sub-priors, and lectors, commissioning them to act, and reciting the crimes of the Templars, which he characterized as sufficient to move the earth and disturb the elements. He had, he said, examined the witnesses, he had summoned the king to lend his aid, and he cunningly added that the pope was informed of the charges. The royal instructions were that the Templars when seized were to be strictly guarded in solitary confinement; they were to be brought before the inquisitorial commissioners one by one; the articles of accusation were to be read over to them; they were to be promised pardon if they would confess the truth and return to the Church, and be told that otherwise they were to be put to death, while torture was not to be spared in extracting confession. The depositions so obtained were to be sent to the king as speedily as possible, under the seals of the inquisitors. All Templar property was to be sequestrated and careful inventories be made out. In undertaking an act which would shock public opinion in no common fashion, it was necessary that it should be justified at once by the confessions wrung from the prisoners, and nothing was to be spared, whether by promises, threats, or violence, to secure the result.*

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* Du Puy, pp. 18–19, 86.—Stemler, Contingent zur Geschichte der Templer, Leipzig, 1783, pp. 36–50.—Pissot, Procès et Condamnation des Templiers, Paris, 1805, pp. 39–43.

Clement V., in his letters of November 21 to Edward of England, and November 22 to Robert, Duke of Calabria, describes Philippe as having acted under the orders of the Inquisition, and as presenting the prisoners for judgment to the Church (Rymer III. 30; MSS. Chioccarello, T. VIII.). The Holy Office was recognized at the time as being the responsible instrumentality of the whole affair

This was all strictly in accordance with inquisitorial practice, and the result corresponded with the royal expectations. Under the able management of Guillaume de Nogaret, to whom the direction of the affair was confided, on October 13 at daybreak the arrests took place throughout the land, but few of the Templars escaping. Nogaret himself took charge of the Paris Temple, where about a hundred and forty Templars, with de Molay and his chief officials at their head, were seized, and the vast treasure of the Order fell into the king's hands. The air had been thick with presages of the impending storm, but the Templars underrated the audacity of the king and had made no preparations to avert the blow. Now they were powerless in the hands of the unsparing tribunal which could at will prove them guilty out of their own mouths, and hold them up to the scorn and detestation of mankind.*

Philippe's first care was to secure the support of public opinion and allay the excitement caused by this unexpected move. The next day, Saturday, October 14, the masters of the university and the cathedral canons were assembled in Nôtre Dame, where Guillaume de Nogaret, the Prévôt of Paris, and other royal officials made a statement of the offences which had been proved against the Templars. The following day, Sunday the 15th, the people were invited to assemble in the garden of the royal palace, where the matter was explained to them by the Dominicans and the royal spokesmen, while similar measures were adopted throughout the kingdom. On Monday, the 16th, royal letters were addressed to all the princes of Christendom announcing the discovery of the Templar heresy, and urging them to aid the king in the defence of the faith by following his example. At once

(Chron. Fran. Pipini c. 49 *ap.* Muratori S. R. I. IX. 749–50). The bull *Faciens misericordiam* of August 12, 1308, gives the inquisitors throughout Europe instructions to participate in the subsequent proceedings (Mag. Bull. Rom. IX. 136).

In fact, the whole matter was strictly inquisitorial business, and it is a noteworthy fact that where the Inquisition was in good working order, as in France and Italy, there was no difficulty in obtaining the requisite evidence. In Castile and Germany it failed; in England, as we shall see, nothing could be done until the Inquisition was practically established temporarily for the purpose.

* Dom. Bouquet, XXI. 448.—Vaissette, IV. 139.—Chron. Anon. (Bouquet, XXI. 137, 149).—Cont. Guill. Nangiac. ann. 1307.—Joann. de S. Victor. (Bouquet, XXI. 649).—Procès des Templiers, I. 458; II. 373.

the Inquisition was set busily at work. From October 19 to November 24 Frère Guillaume and his assistants were employed in recording the confessions of a hundred and thirty-eight prisoners captured in the Temple, and so efficacious were the means employed that but three refused to admit at least some of the charges. What these methods were the records of course fail to show, for, as we have seen, the official confession was always made after removal from the torture-chamber, and the victim was required to swear that it was free and unconstrained, without fear or force, though he knew that if he retracted what he had uttered or promised to utter on the rack he would be liable to fresh torture, or to the stake as a relapsed heretic. The same scenes were enacting all over France, where the commissioners of Frère Guillaume, and sometimes Frère Guillaume himself, with the assistance of the royal officials, were engaged in the same work. In fact, the complaisant Guillaume, in default of proper material for labor so extensive, seems occasionally to have commissioned the royal deputies to act. A few of the reports of these examinations have been preserved, from Champagne, Normandy, Querci, Bigorre, Beaucaire, and Languedoc, and in these the occasional allusions to torture show that it was employed whenever necessary. In all cases, of course, it was not required, for the promise of pardon and the threat of burning would frequently suffice, in conjunction with starvation and the harshness of the prison. The rigor of the application of the inquisitorial process is shown by the numerous deaths and the occasional suicides prompted by despair to which the records bear testimony. In Paris alone, according to the testimony of Ponsard de Gisiac, thirty-six Templars perished under torture; at Sens, Jacques de Saciac said that twenty-five had died of torment and suffering, and the mortality elsewhere was notorious. When a number of the Templars subsequently repeated their confessions before the pope and cardinals in consistory, they dwelt upon the excessive tortures which they had endured, although Clement in reporting the result was careful to specify that their confessions were free and unconstrained. De Molay, of course, was not spared. He was speedily brought into a complying state of mind. Although his confession, October 24, is exceedingly brief, and only admits a portion of the errors charged, yet he was induced to sign a letter addressed to the brethren stating

that he had confessed and recommending them to do the same, as having been deceived by ancient error. As soon as he and other chiefs of the Order were thus committed, the masters and students of all the faculties of the university were summoned to meet in the Temple; the wretched victims were brought before them and were required to repeat their confessions, which they did, with the addition that these errors had prevailed in the Order for thirty years and more.*

The errors charged against them were virtually five: I. That when a neophyte was received the preceptor led him behind the altar, or to the sacristy or other secret place, showed him a crucifix and made him thrice renounce the prophet and spit upon the cross. II. He was then stripped, and the preceptor kissed him thrice, on the posteriors, the navel, and the mouth. III. He was then told that unnatural lust was lawful, and it was commonly indulged in throughout the Order. IV. The cord which the Templars wore over the shirt day and night as a symbol of chastity had been consecrated by wrapping it around an idol in the form of a human head with a great beard, and this head was adored in the chapters, though only known to the Grand Master and the elders. V. The priests of the Order do not consecrate the host in celebrating mass. When, in August, 1308, Clement sent throughout Europe a series of articles for the interrogation of the accused, drawn up for him by Philippe, and varying according to different recensions from eighty-seven to one hundred and twenty-seven in number, these charges were elaborated, and varied on the basis of the immense mass of confessions which had meanwhile been obtained. The indecent kisses were represented as mutual between the receptor and the received; disbelief in the sacrament of the altar was asserted; a cat was said to appear in the chapters and to be worshipped; the Grand Master or preceptor presiding in a chapter was held to have power of absolving from all sin; all brethren

* Joann. de S. Victor (Bouquet, XXI. 649-50).—Contin. Guill. Nangiac. ann. 1307.—Chron. Anon. (Bouquet, XXI. 137).—Schottmüller, op. cit. I. 131-33.—Zurita, Añales de Aragon, Lib. v. c. 73.—Procès des Templiers, II. 6, 375, 386, 394.—Du Puy, pp. 25-6, 88-91, 101-6.—Raynouard, pp. 39-40, 164, 235-8, 240-5.—Procès des Templiers, I. 36, 69, 203, 201; II. 305-6.—Ptol. Lucens. Hist. Eccles. Lib. xxiv. (Muratori S. R. I. XI. 1230).—Trithem. Chron. Hirsaug. ann. 1307.—Chron. Anon. (Bouquet, XXI. 149).

were instructed to acquire property for the Order by fair means or foul, and all the above were declared to be fixed and absolute rules of the Order, dating from a time beyond the memory of any member. Besides these, it was reproached for the secrecy of its proceedings and neglect in the distribution of alms. Even this, however, did not satisfy the public imagination, and the most absurd exaggerations found credence, such as we have so frequently seen in the case of other heresies. The Templars were said to have admitted betraying St. Louis and the stronghold of Acre, and that they had such arrangements with the Soldan of Babylon that if a new crusade were undertaken the Christians would all be sold to him. They had conveyed away a portion of the royal treasure, to the great injury of the kingdom. The cord of chastity was magnified into a leather belt, worn next the skin, and the *mahommerie* of this girdle was so powerful that as long as it was worn no Templar could abandon his errors. Sometimes a Templar who died in this false belief was burned, and of his ashes a powder was made which confirmed the neophytes in their infidelity. When a child was born of a virgin to a Templar it was roasted, and of its fat an ointment was made wherewith to anoint the idol worshipped in the chapters, to which, according to other rumors, human sacrifices were offered. Such were the stories which passed from mouth to mouth and served to intensify popular abhorrence.*

It is, perhaps, necessary at this point to discuss the still mooted question as to the guilt or innocence of the Order. Disputants have from various motives been led to find among the Templars Manichæan, Gnostic, and Cabalistic errors justifying their destruction. Hammer-Purgstall boasted that he had discovered and identified no less than thirty Templar images, in spite of the fact that at the time of their sudden arrest the Inquisition, aided by the eager creatures of Philippe, was unable to lay its hands on a single one. The only thing approaching it was a metal reliquary in the form of a female head produced from the Paris Temple, which, on being opened, was found to contain a small skull preserved as a relic of the eleven thousand virgins.†

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* Pissot, pp. 41-2.—Procès des Templiers, I. 89 sqq.—Mag. Bull. Roman. IX. 129 sqq.—Raynouard, p. 50.—Grandes Chroniques V. 188-90.—Chron. Anon. (Bouquet, XXI. 137).—Naucleri Chron. ann. 1306.

† Wilcke, II. 424.—Procès des Templiers, II. 218.—The flimsiness of the evi-

This fact alone would serve to dispose of the gravest of the charges, for, if the depositions of some of the accused are to be believed, these idols were kept in every commandery and were employed in every reception of a neophyte. With regard to the other accusations, not admitting thus of physical proof, it is to be observed that much has been made by modern theorists of the

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dence which suffices to satisfy archæologists of this kind is seen in the laborious trifling of M. Mignard, who finds in a sculptured stone coffer, discovered at Essarois in 1789, all the secrets of gnostic Manichæism, and who thereupon leaps to the conclusion that the coffer must have belonged to the Templars who had a preceptory within eight or ten miles of the place, and that it served as a receptacle for the Baphometic idol (Mignard, Monographie du coffret de M. le duc de Blacas, Paris, 1852.—Suite, 1858).

It is impossible to listen without respect to Professor Haus Prutz, whose labors in the archives of Valetta I have freely quoted above, and one can only view with regret the efforts of such a man wasted in piecing together contradictory statements of tortured witnesses to evolve out of them a dualistic heresy —an amalgamation of Catharan elements with Luciferan beliefs, to which even the unlucky Stedingers contribute corroboration (Geheimlehre u. Geheimstatuten des Tempelherren-Ordens, Berlin, 1879, pp. 62, 86, 100). It ought to be sufficient to prevent such wasted labor for the future, to call attention to the fact that if there had been ardor and conviction enough in the Order to risk the organization and propagation of a new heresy, there would, unquestionably, have been at least a few martyrs, such as all other heretical sects furnished. Yet not a single Templar avowed the faith attributed to them and persisted in it. All who confessed under the stress of the prosecution eagerly abjured the errors attributed to them and asked for absolution. A single case of obstinacy would have been worth to Philippe and Clement all the other testimony, and would have been made the pivotal point of the trials, but there was not one such. All the Templars who were burned were martyrs of another sort—men who had confessed under torture, had retracted their confessions, and who preferred the stake to the disgrace of persisting in the admission extorted from them. It does not seem to occur to the ingenious framers of heretical beliefs for the Templars that they must construct a heresy whose believers will not suffer death in its defence, but will endure to be burned in scores rather than submit to the stigma of having it ascribed to them. The mere statement of the case is enough to show the fabulous character of all the theories so laboriously constructed, especially that of M. Mignard, who proves that the Templars were Cathari—heretics whose aspiration for martyrdom was peculiarly notorious.

I have not been able to consult Loiseleur's "La Doctrine Secrète des Templiers" (Orleans, 1872), but from Prutz's references to it I gather that it is grounded on the same false basis and is open to the same easy refutation. Wilcke's speculations are too perversely crude to be worth attention.

fact that the rules and statutes of the Order were reserved exclusively for its chiefs, and it has been assumed that in them were developed the secret mysteries of the heresy. Yet nothing of the kind was alleged in the proceedings; the statutes were never offered in evidence by the prosecution, although many of them must have been obtained in the sudden seizure, and this for the best of reasons. Sedulously as they were destroyed, two or three copies escaped, and these, carefully collated, have been printed. They breathe nothing but the most ascetic piety and devotion to the Church, and the numerous illustrative cases cited in them show that up to a period not long anterior to the destruction of the Order there were constant efforts made to enforce the rigid Rule framed by St. Bernard and promulgated by the Council of Troyes in 1128. Thus there is absolutely no external evidence against the Order, and the proof rests entirely upon confessions extracted by the alternative of pardon or burning, by torture, by the threat of torture, or by the indirect torture of prison and starvation, which the Inquisition, both papal and episcopal, know so well how to employ. We shall see, in the development of the affair, that when these agencies were not employed no admissions of criminality could be obtained.* No one who had studied the criminal juris-

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* Writers unfamiliar with the judicial processes of the period are misled by the customary formula, to the effect that the confirmation of a confession is not obtained by force or fear of torture. See Raynald. ann. 1307, No. 12, and Bini, Dei Tempieri in Toscana, p. 428. Wilcke asserts positively (op. cit. II. 318) that de Molay never was tortured, which may possibly be true (Amalr. Auger. Vit. Clem. V. *ap.* Muratori III. ii. 461), but he saw his comrades around him subjected to torture, and it was a mere question of strength of nerve whether he yielded before or after the rack. Prutz even says that in England neither torture nor terrorism was employed (Gebeimlehre, p. 104), which we will see below was not the case. Van Os (De Abol. Ord. Templ. pp. 107, 109) is bolder, and argues that a confession confirmed after torture is as convincing as if no torture had been used. He carefully suppresses the fact, however, that retraction was held to be relapse and entailed death by burning.

How the system worked is illustrated by the examination of the Preceptor of Cyprus, Raimbaud de Caron, before the inquisitor Guillaume, Nov. 10, 1307. When first interrogated he would only admit that he had been told in the presence of his uncle, the Bishop of Carpentras, that he would have to renounce Christ to obtain admission. He was then removed and subsequently brought back, when he remembered that at his reception he had been forced to renounce

prudence of the later Middle Ages will attach the slightest weight to confessions obtained under such conditions. We have seen, in the case of the Stedingers, how easy it was to create belief in the most groundless charges. We have seen, under Conrad of Marburg, how readily the fear of death and the promise of absolution would cause nobles of birth and station to convict themselves of the foulest and most impossible offences. We shall see, when we come to consider persecution for witchcraft, with what facility the rack and strappado procured from victims of all ranks confessions of participating in the Sabbat, and of holding personal intercourse with demons, of charming away harvests, of conjuring hail-storms, and of killing men and cattle with spells. Riding through the air on a broomstick, and commerce with incubi and succubi rest upon evidence of precisely the same character and of much greater weight than that upon which the Templars were convicted, for the witch was sure of burning if she confessed, and had a chance of escaping if she could endure the torture, while the Templar was threatened with death for obstinacy, and was promised immunity as a reward for confession. If we accept the evidence against the Templar we cannot reject it in the case of the witch.

As the testimony thus has no intrinsic weight, the only scientific method of analyzing the affair is to sift the whole mass of confessions, and determine their credibility according to the internal evidence which they afford of being credible or otherwise. Several hundred depositions have reached us, taken in France, England, and Italy, for the most part naturally those incriminating the Order, for the assertions of innocence were usually suppressed, and the most damaging witnesses were made the most of. These are sufficiently numerous to afford us ample material for estimating the character of the proof on which the Order was condemned, and to obtain from them a reasonable approximation to the truth requires only the application of a few tests suggested by common-sense.

There is, firstly, the extreme inherent improbability that a rich,

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Christ and spit on the cross, and had been taught that the gratification of unnatural lust was permissible. Yet this confession, so evidently the result of torture, winds up with the customary formula that he swore it was not the result of force or fear of prison or torture.—Procès, II. 374-5.

worldly, and ambitious body of men like the Templars should be secretly engaged in the dangerous and visionary task of laying the foundations of a new religion, which would bring them no advantage if they succeeded in supplanting Christianity, and which was certain to lead them to destruction in the infinite chances of detection. To admit this is to ascribe to them a spiritual exaltation and a readiness for martyrdom which we might expect from the asceticism of a Catharan or a Dolcinist, but not from the worldliness which was the real corroding vice of the Order. Secondly, if the Templars were thus engaged in the desperate enterprise of propagating a new faith under the eyes of the Inquisition, they would be wary in initiating strangers; they would exercise extreme caution as to the admission of members, and only reveal to them their secrets by degrees, as they found them worthy of confidence and zealously willing to incur the risk of martyrdom. Thirdly, if a new dogma were thus secretly taught as an indispensable portion of the Rule, its doctrines would be rigidly defined and its ritual be closely administered. The witnesses who confessed to initiation would all tell the same story and give the same details.

Thus evidence of the weightiest and most coherent character would be requisite to overcome the inherent improbability that the Templars could be embarked in an enterprise so insane, in place of which we have only confessions extracted by the threat or application of torture, and not a single instance of a persistent heretic maintaining the belief imputed to him. Turning to the testimony to see whether it comports with the conditions which we have named, we find that no discrimination whatever was exercised in the admission of neophytes. Not a single witness speaks of any preliminary preparation, though several intimate that they obtained entrance by making over their property to the Order.* Indeed, one of the charges was, that there was no preliminary probation, and that the neophyte at once became a professed member in full standing, which, as explained by a knight of Mas Deu, was because their services were considered to be at once required against the Saracens.† Youths and even children of tender years were admitted, although in violation of the statutes

* Procès, II. 188, 407. † Ibid. II. 451.

of the Order, of ages ranging from ten or eleven years upward.* High-born knights, priding themselves on their honor, priests, laborers, husbandmen, menials of all kinds were brought in, and, if we are to believe their evidence, they were without notice obliged, by threats of death and lifelong imprisonment, to undergo the severest personal humiliation, and to perform the awful task of renouncing their Saviour and spitting on, or even more outrageously defiling, the cross which was the object of their veneration and the symbol of their faith. Such a method of propagating heresy by force in the Europe of the Inquisition, of trusting such fearful secrets to children and to unwilling men of all conditions, is so absurd that its mere assertion deprives the testimony of all claim to credence.

Equally damaging to the credibility of the evidence is the self-contradictory character of its details. It was obtained by examining the accused on a series of charges elaborately drawn up, and by requiring answers to each article in succession, so that the general features of the so-called confessions were suggested in advance. Had the charges been true there could have been little variation in the answers, but in place of a definite faith or a systematic ritual we find every possible variation that could suggest itself to witnesses striving to invent stories that should satisfy their torturers. Some say that they were taught Deism—that God in heaven alone was to be worshipped.† Others, that they were forced to renounce God.‡ The usual formula reported, however, was simply to renounce Christ, or Jesus, while others were called upon to renounce Notre Sire, or la Profeta, or Christ, the Virgin, and the Saints.§ Some professed that they could not recollect whether their renunciation had been of God or of Christ.‖ Some-

* Procès, I. 241, 412, 415, 602, 611; II. 7, 295, 298, 354, 359, 382, 394.—Règle, §7, p. 211.

† Procès, I. 213, 332; II. 388, 404.—Raynouard, p. 281.—In this and the following notes I can only give a few references as examples. To do so exhaustively would be to make an analytical index of the whole voluminous mass of testimony.

‡ Procès, I. 206, 242, 302, 378, 386, etc.; II. 5, 27, etc.

§ Procès, I. 254, 417; II. 24, 62, 72, 104.—Bini, Dei Tempieri in Toscana, pp. 468, 470, 478.

‖ Procès, II. 42, 44, 59.

times we hear that instruction was given that they should not believe in Christ, that he was a false prophet, that he suffered for his own sins, but more frequently that the only reason alleged was that such was the Rule of the Order.* It was the same with the idol which has so greatly exercised the imagination of commentators. Some witnesses swore that it was produced whenever a neophyte was received, and that its adoration was a part of the ceremony; others that it was only exhibited and worshipped in the secrecy of chapters; by far the greater number, however, had never seen it or heard of it. Of those who professed to have seen it, scarce two described it alike, within the limits suggested by the articles of accusation, which spoke of it as a head. Sometimes it is black, sometimes white, sometimes with black hair, and sometimes white and black mixed, and again with a long white beard. Some witnesses saw its neck and shoulders covered with gold; one declared that it was a demon (*Mauf'é*) on which no one could look without trembling; another that it had for eyes carbuncles which lighted up the room; another that it had two faces; another three faces; another four legs, two behind and two before, and yet another said it was a statue with three heads. On one occasion it is a picture, on another a painting on a plaque, on another a small female figure which the preceptor draws from under his garments, and on another the statue of a boy, a cubit in height, sedulously concealed in the treasury of the preceptory. According to the testimony of one witness it degenerated into a calf. Sometimes it is called the Saviour, and sometimes Bafomet or Maguineth—corruptions of Mahomet—and is worshipped as Allah. Sometimes it is God, creating all things, causing the trees to bloom and the grass to germinate, and then again it is a friend of God who can approach him and intercede for the suppliant. Sometimes it gives responses, and sometimes it is accompanied or replaced by the devil in the form of a black or gray cat or raven, who occasionally answers the questions addressed to him, the performance winding up, like the witches' Sabbat, with the introduction of demons in the form of beautiful women.†

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* Procès, I. 206–7, 294, 411, 426, 464, 533; II. 31, 128, 242, 366.

† Procès, I. 190, 207, 399, 502, 597; II. 193, 203, 212, 279, 300, 313, 315, 363, 364.—Du Puy, pp. 105-6.—Raynouard, pp. 246–8, 279–83, 293.—Bini, pp. 465,

Similar contradictions are observable in the evidence as to the ritual of reception. The details laid down in the Rule are accurately and uniformly described, but when the witnesses come to

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474, 482, 487, 488.—Wilkins, Concilia, II. 358.—Schottmüller, op. cit. II. 20, 50, 68, 70, 127, 410, 411.—Vaissette, IV. 141.—Stemler, pp. 124–5.

It is in this multiform creature of the imagination that Dr. Wilcke (II. 131–2) sees alternately an image of John the Baptist and the triune Makroposopns of the Cabala.

Among the few outside witnesses who appeared before the papal commission in 1310–11, was Antonio Sicci of Vercelli, imperial and apostolic notary, who forty years before had served the Templars in Syria in that capacity, and had recently been employed in the case by the Inquisition of Paris. Among his Eastern experiences he gravely related a story current in Sidon that a lord of that city once loved desperately but fruitlessly a noble maiden of Armenia; she died, and, like Periander of Corinth, on the night of her burial he opened her tomb and gratified his passion. A mysterious voice said, "Return in nine months and you will find a head, your son!" In due time he came back and found a human head in the tomb, when the voice said, "Guard this head, for all your good-fortune will come from it!" At the time the witness heard this, Matthieu le Sauvage of Picardy was Preceptor of Sidon, who had established brotherhood with the Soldan of Babylon by each drinking the other's blood. Then a certain Julian, who had succeeded to Sidon and to the possession of the head, entered the Order and gave to it the town and all his wealth. He was subsequently expelled and entered the Hospitallers, whom he finally abandoned for the Premonstratensians (Procès, I. 645–6). This somewhat irrelevant and disconnected story so impressed the commissioners that they made Antonio reduce it to writing himself, and lost no subsequent opportunity of inquiring about the head of Sidon from all other witnesses who had been in Syria. Shortly afterwards Jean Senandi, who had lived in Sidon for five years, informed them that the Templars purchased the city, and that Julian, who had been one of its lords, entered the Order but apostatized and died in poverty. One of his ancestors was said to have loved a maiden and abused her corpse, but he had heard nothing of the head (Ib. II. 140). Pierre de Nobiliac had been for many years beyond seas, but had likewise never heard of it (Ib. 215). At length their curiosity was gratified by Hugues de Faure, who confirmed the fact that Sidon had been purchased by the Grand Master, Thomas Berard (1257–1273), and added that after the fall of Acre he had heard in Cyprus that the heiress of Maraclea, in Tripoli, had been loved by a noble who had exhumed her body and violated it, and cut off her head, a voice telling him to guard it well, for it would destroy all who looked upon it. He wrapped it up and kept it in a coffer, and in Cyprus, when he wished to destroy a town or the Greeks, he would uncover it and accomplish his purpose. Desiring to destroy Constantinople he sailed thither with it, but his old nurse, curious to know what was in the coffer so carefully preserved,

speak of the sacrilegious rites imputed to them, they flounder among almost every variation that could suggest itself to their imaginations. Usually renunciation of God or Christ and spitting on the cross are both required, but in many cases renunciation without spitting suffices, and in as many more spitting without renunciation.* Occasionally spitting is not sufficient, but trampling is added, and even urination; indeed some over-zealous witnesses declared that the Templars assembled yearly to perform the latter ceremony, while others, while admitting the sacrilege of their reception rites, say that the yearly adoration of the cross on Good Friday, prescribed in the Rule, was also observed with great devotion.† Generally a plain cross is described as the object of contempt, but sometimes a crucifix is used, or a painting of the crucifixion in an illuminated missal; the cross on the preceptor's mantle is a common device, and even two straws laid crosswise on the ground suffices. In some cases spitting thrice upon the ground was only required, without anything being said as to its being in disrespect of Christ.‡ Many witnesses declared that the sacrilege was performed in full view of the assembled brethren, others that the neophyte was taken into a dark corner, or behind the altar, or into another room carefully closed; in one case it took place in a field, in another in a grange, in another in a cooper-shop, and in another

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opened it, when a sudden storm burst over the ship and sank it with all on board, except a few sailors who escaped to tell the tale. Since then no fish have been found in that part of the sea (Ib. 233-4). Guillaume Avril had been seven years beyond seas without hearing of the head, but had been told that in the whirlpool of Setalias a head sometimes appeared, and then all the vessels there were lost (Ib. 238). All this rubbish was sent to the Council of Vienne as part of the evidence against the Order.

* Procès, I. 233, 242, 250, 414, 423, 429, 533, 536, 546, etc.

† Procès, I. 233; II. 219, 232, 237, 264.—Raynouard, 274-5, 279-80.—Bini, pp. 463, 497.

At the feast of the Holy Cross in May and September, and on Good Friday, the Templars all assembled, and, laying aside shoes and head-gear and swords, adored the cross, with the hymn—

Ador te Crist et benesesc te Crist
Qui per la sancta tua crou nos resemist.—

(Procès, II. 474, 491, 503.)

‡ Procès, I. 233, 250, 536, 539, 541, 546, 606; II. 226, 232, 336, 360, 369.—Raynouard, p. 275.

in a room used for the manufacture of shoes.* As a rule the preceptor was represented as enforcing it, but in many cases the duty was confided to one or more serving brethren, and in one instance the person officiating had his head hidden in a cowl.† Almost universally it formed part of the ceremonies of reception, sometimes even before the vows were administered or the mantle bestowed, but generally at the conclusion, after the neophyte was fully committed, but there were occasional instances in which it was postponed until a later hour, or to the next day, or to longer intervals, extending, in one or two cases, to months and years.‡ Some witnesses declared that it formed part of all receptions; others that it had been enforced in their case, but they had never seen it or heard of it in other receptions at which they had been present. In general they swore that they were told it was a rule of the Order, but some said that it was explained to them as a joke, and others that they were told to do it with the mouth and not with the heart. One, indeed, deposed that he had been offered the choice between renouncing Christ, spitting on the cross, and the indecent kiss, and he selected the spitting.§ In fact, the evidence as to the enforcement of the sacrilege is hopelessly contradictory. In many cases the neophyte was excused after a slight resistance; in others he was thrust into a dark dungeon until he yielded. Egidio, Preceptor of San Gemignano of Florence, stated that he had known two recalcitrant neophytes carried in chains to Rome, where they perished in prison, and Niccolò Regino, Preceptor of Grosseto, said that recusants were slain, or sent to distant parts, like Sardinia, where they ended their days. Geoffroi de Charney, Preceptor of Normandy, swore that he enforced it upon the first neophyte whom he received, but that he never did so afterwards, and Gui Dauphin, one of the high officers of the Order, said virtually the same thing; Gaucher de Liancourt, Preceptor of Reims, on the other hand, testified that he had required it in all cases, for

* Procès, I. 530, 533, 536, 539, 544, 549, 565, 572, 622; II. 24, 27, 29, 31, 120, 280, 362, 546, 579.—Schottmüller, II. 413.

† Procès, I. 386, 536, 539, 565, 572, 592.

‡ Procès, I. 413, 484, 444, 469, 504, 559, 562; II. 75, 99, 113, 123, 205.—Raynouard, p. 280.—Schottmüller, op. cit. II. 132, 410.

§ Procès, I. 407, 418, 435, 462, 572, 588; II. 27, 38, 67, 174, 185, 214.

if he had not he would have been imprisoned for life, and Hugues de Peraud, the Visitor of France, declared that it was obligatory on him.*

It would be a work of supererogation to pursue this examination further. The same irreconcilable confusion reigns in the evidence as to the other charges—the cord of chastity, the obscene kiss, the mutilation of the canon of the mass,† the power of absolution assigned to the Grand Master, the license for unnatural crime. It might be argued, as these witnesses had been received into the Order at times varying from fifty to sixty years previous to within a few months, and at places so widely apart as Palestine and England, that these variations are explicable by local usages or by a gradually perfected belief and ritual. An investigation of the confessions shows, however, that no such explanation will suffice; there can be no grouping as to the time or place of the ceremony. Yet there can be a grouping which is of supreme significance, a grouping as to the tribunal through which the witness passed. This is often very notable among the two hundred and twenty-five who were sent to the papal commission from various parts of France, and examined in 1310 and 1311. As a rule they manifested extreme anxiety that their present depositions should accord with those which they had made when subject to inquisition by the bishops—doubtless they made them as nearly so as their memories would permit—and it is easy to see how greater or less rigor, or how concert between those confined in the same prison, had led to the concoction of stories such as would satisfy their

* Procès, I. 404; II. 260, 281, 284, 295, 299, 338, 354, 356, 363, 389, 390, 395, 407.—Bini, pp. 468,488.

It is not easy to appreciate the reasoning of Michelet (Procès, II. vii.–viii.), who argues that the uniformity of denial in a series of depositions taken by the Bishop of Elne suggests concert of statement agreed upon in advance, while the variations in those who admitted guilt are an evidence of their veracity. If the Templars were innocent, denials of the charges read to them seriatim would be necessarily identical; if they were guilty, the confessions would be likewise uniform. Thus the identity of the one group and the diversity of the other both concur to disprove the accusations.

† Incontrovertible evidence that the Templar priests did not mutilate the words of consecration in the mass is furnished in the Cypriote proceedings by ecclesiastics who had long dwelt with them in the East.—Processus Cypricus (Schottmüller, II. 379, 382, 383).

judges. Thus the confessions obtained by the Ordinary of Poitiers have a character distinct from those extorted by the Bishop of Clermont, and we can classify the penitents of the Bishop of Le Mans, the Archbishop of Sens, the Archbishop of Tours, the Bishops of Amiens, Rodez, Macon, in fact of nearly all the prelates who took part in the terrible drama.*

Another feature indicating the untrustworthy character of the evidence is that large numbers of the witnesses swore that they had confessed the sacrilege committed to priests and friars of all kinds, to bishops, and even to papal penitentiaries, and had received absolution by the imposition of penance, usually of a trifling character, such as fasting on Fridays for a few months or a year.† No ordinary confessor could absolve for heresy; it was a sin reserved for the inquisitor, papal or episcopal. The most that the confessor could have done would have been to send the penitent to some one competent to grant absolution, which would only have been administered under the heaviest penance, including denunciation of the Order. To suppose, in fact, that thousands of men, during a period of fifty or a hundred years, could have been entrapped into such a heresy without its becoming matter of notoriety, is in itself so violent an assumption as to deprive the whole story of all claims upon belief.

Thus the more closely the enormous aggregate of testimony is examined the more utterly worthless it appears, and this is confirmed by the fact that nowhere could compromising evidence be obtained without the use of inquisitorial methods. Had thousands of men been unwillingly forced to abjure their faith and been terrorized into keeping the dread secret, as soon as the pressure was removed by the seizure there would have been a universal eagerness to unburden the conscience and seek reconciliation with the Church. No torture would have been requisite to obtain all the evidence required. In view, therefore, of the extreme improba-

* Proces, I. 230–1, 264–74, 296–307, 331–67, 477–93, 602–19, 621–41; II. 1–3, 56–85, 91–114, 122–52, 154–77, 184–91, 234–56, 263–7.

† Proces, I. 298, 305, 319, 336, 372, 401, 405, 427, 436, etc.

It is not easy to understand the prescription of Friday fasting as a penance for a Templar, for the ascetic rules of the Order already required the most rigid fasting. Meat was only allowed three days in the week, and a second Lent was kept from the Sunday before Martinmas until Christmas (Regle, §§ 15, 57).

bility of the charge, of the means employed to obtain proof for its support, and the lack of coherence in the proof so obtained, it appears to me that no judicial mind in possession of the facts can hesitate to pronounce a sentence, not merely of not proven, but of acquittal. The theory that there were inner grades in the Order, by which those alone to be trusted were initiated in its secret doctrines, is perfectly untenable. As there is no evidence of any kind to support it, it is a matter of mere conjecture, which is sufficiently negatived by the fact that with scarce an exception those who confessed, whether ploughmen or knights, relate the sacrilege as taking place on their admission. If the witnesses on whom the prosecution relied are to be believed at all, the infection pervaded the whole Order.

Yet it is by no means improbable that there may have been some foundation for the popular gossip that the neophyte at his reception was forced to kiss the posteriors of his preceptor. As we have seen, a large majority of the Order consisted of serving brethren on whom the knights looked down with infinite contempt. Some such occasional command on the part of a reckless knight, to enforce the principle of absolute obedience, in admitting a plebeian to nominal fraternity and equality, would not have been foreign to the manners of the age. Who can say, moreover, that men, soured with the disillusion of life within the Order, chafing under the bonds of their irrevocable vow, and perhaps released from all religious convictions amid the license of the East, may not occasionally have tested the obedience of a neophyte by bidding him to spit at the cross on the mantle that had grown hateful to him?* No one who recognizes the wayward perversity

* This would seem not unlikely if we are to believe the confession of Jean d'Aumônes, a serving brother who stated that at his reception his preceptor turned all the other brethren out of the chapel, and after some difficulty forced him to spit at the cross, after which he said "Go, fool, and confess." This Jean at once did, to a Franciscan who imposed on him only the penance of three Friday fasts, saying that it was intended as a test of constancy in case of capture by the Saracens (Proces, I. 588–91).

Another serving brother, Pierre de Cherrut, related that after he had been forced to renounce God his preceptor smiled disdainfully at him, as though despising him (Ib. I. 531).

Equally suggestive is the story, told by the serving brother Eudes de Bures,

of human nature, or who is familiar with the condition of monasticism at the period, can deny the possibilities of such occasional performances, whether as brutal jokes or spiteful assertions of supremacy, but the only rational conclusion from the whole tremendous tragedy is that the Order was innocent of the crime for which it was punished.

While Philippe was seizing his prey, Clement, at Poitiers, was occupied in the equally lucrative work of sending collectors throughout Germany to exact a tithe of all ecclesiastical revenues for the recovery of the Holy Land. When aroused from this with the news that Philippe, under the authority of Frère Guil laume the inquisitor, had thus taken decided and irrevocable action in a matter which was still before him for consideration, his first emotion naturally was that of wounded pride and indignation, sharpened perhaps by the apprehension that he would not be able to secure his share of the spoils. He dared not publicly disavow responsibility for the act, and what would be the current of public opinion outside of France no man could divine. In this cruel dilemma he wrote to Philippe, October 27, 1307, expressing his indignation that the king should have taken action in a matter which the brief of August 24 showed to be receiving papal consideration. Carefully suppressing the fact of the intervention of the Inquisition which legally justified the whole proceeding, Clem-

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a youth of twenty at the time, that after his reception he was taken into another room by two of the brethren and forced to renounce Christ. On his refusing at first, one of them said that in his country people renounced God a hundred times for a fica—perhaps an exaggeration, but "Je renye Dieu" was one of the commonest of expletives. When the preceptor heard him weeping he called to the tormentors to let him alone, as they would set him crazy, and he subsequently told Eudes that it was a joke (Ib. II. 100-2).

What is the real import of such incidents may be gathered from a story related by a witness during the inquest held in Cyprus, May, 1310. He had heard from a Genoese named Matteo Zaccaria, who had long been a prisoner in Cairo, that when the news of the proceedings against the Order reached the Soldan of Egypt he drew from his prisons about forty Templars captured ten years before on the island of Tortosa, and offered them wealth if they would renounce their religion. Surprised and angered by their refusal, he remanded them to their dungeons and ordered them to be deprived of food and drink, when they perished to a man rather than apostatize.—Schottmüller, op. cit. II. 160.

ent sought a further ground of complaint by reminding the king that Templars were not under royal jurisdiction, but under that of the Holy See, and he had committed a grave act of disobedience in seizing their persons and property, both of which must be forthwith delivered to two cardinals sent for the purpose. These were Berenger de Frédole, Cardinal of SS. Nereo and Achille, and Etienne de Suissi of S. Ciriaco, both Frenchmen and creatures of Philippe, who had procured their elevation to the sacred college. He seems to have had no trouble in coming to an understanding with them, for, though the trials and tortures were pushed unremittingly, another letter of Clement's, November 30, praises the king for putting the matter in the hands of the Holy See, and one of Philippe's of December 24 announces that he had no intention of infringing on the rights of the Church and does not intend to abandon his own; he has, he says, delivered the Templars to the cardinals, and the administration of their property shall be kept separate from that of the crown. Clement's susceptibilities being thus soothed, even before the trials at Paris were ended he issued, November 22, the bull *Pastoralis præeminentiæ*, addressed to all the potentates of Europe, in which he related what Philippe had done at the requisition of the Inquisitor of France, in order that the Templars might be presented to the judgment of the Church; how the chiefs of the Order had confessed the crimes imputed to them; how he himself had examined one of them who was employed about his person and had confirmed the truth of the allegations. Therefore he orders all the sovereigns to do likewise, retaining the prisoners and holding their property in the name of the pope and subject to his order. Should the Order prove innocent the property is to be restored to it, otherwise it is to be employed for the recovery of the Holy Land.* This

* Regest. Clement. PP. V. T. II. p. 95.—Du Puy, pp. 117-18, 124, 134.—Schottmüller, I. 94.—Rymer, Fœd. III. 30.—MSS. Chioccarello T. VIII.—Mag. Bull. Rom. IX. 126, 131.—Zurita, Lib. v. c. 73.

Apparently there was a general expectation that the Hospitallers would share the fate of the Templars, and a disposition was manifested at once to pillage them, for Clement felt obliged, December 21, 1307, to issue a bull confirming all their privileges and immunities, and to send throughout Europe letters ordering them to be protected from all encroachments (Regest. Clem. PP. V. T. III. pp. 14, 17-18, 20-1, 273; T. IV. p. 418).

was the irrevocable act which decided the fate of the Templars, as we shall see hereafter when we consider the action of the princes of Europe outside of France.

Philippe thus had forced Clement's hand, and Clement was fairly committed to the investigation, which in the hands of the Inquisition could only end in the destruction of the Order. Secure in his position, the king pushed on the examination of the prisoners throughout the kingdom, and the vigilance of his agents is shown in the case of two German Templars returning home, whom they arrested at Chaumont and delivered to the Inquisitor of the Three Bishoprics. One was a priest, the other a serving brother, and the inquisitor in reporting to Philippe says that he had not tortured the latter because he was very sick, but that neither had admitted that there was in the Order aught that was not pure and holy. The examinations went on during the winter of 1308, when Clement unexpectedly put a stop to them. What was his motive we can only conjecture; probably he found that Philippe's promises with regard to the Templar possessions were not likely to be fulfilled, and that an assertion of his control was necessary. Whatever his reasons, he suddenly suspended in the premises the power of all the inquisitors and bishops in France and evoked to himself the cognizance of the whole affair, alleging that the suddenness of the seizure without consulting him, although so near and so accessible, had excited in him grave suspicions, which had not been allayed by the records of the examinations submitted to him, for these were of a character rather to excite incredulity—though in November he had proclaimed to all Christendom his conviction of their truth. It shows how completely the whole judicial proceedings were inquisitional that this brought them to an immediate close, provoking Philippe to uncontrollable wrath. Angrily he wrote to Clement that he had sinned greatly: even popes, he hints, may fall into heresy; he had wronged all the prelates and inquisitors of France; he had inspired the Templars with hopes and they were retracting their confessions, especially Hugues de Peraud, who had had the honor of dining with the cardinal-deputies. Evidently some intrigue was on foot, and Clement was balancing, irresolute as to which side offered most advantage, and satisfied at least to show to Philippe that he was indispensable. Philippe at first was disposed to assert his indepen-

dence and claim jurisdiction, and he applied to the University for an opinion to support his claims, but the Faculty of Theology replied, March 25, 1308, as it could not help doing: the Templars were religious and consequently exempt from secular jurisdiction; the only cognizance which a secular court could have over heresy was at the request of the Church after it had abandoned the heretic; in case of necessity the secular power could arrest a heretic, but it could only be for the purpose of delivering him to the ecclesiastical court; and finally the Templar property must be held for the purpose for which it was given to the Order.*

Philippe, thus foiled, proceeded to bring a still stronger pressure to bear on Clement. He appealed to his subservient bishops and summoned a national assembly, to meet April 15 in Tours, to deliberate with him on the subject of the Templars. Already, at the Assembly of Paris in 1302, he had called in the Tiers-Etat and had learned to value its support in his quarrel with Boniface, and now he again brought in the communes, thus founding the institution of the States-General. After some delay the assembly met in May. In his summons Philippe had detailed the crimes of the Templars as admitted facts which ought to arouse for their punishment not only arms and the laws, but brute cattle and the four elements. He desired his subjects to participate in the pious work, and therefore he ordered the towns to select each two deputies zealous for the faith. From a gathering collected under such impulsion it was not difficult, in spite of the secret leaning of the nobles to the proscribed Order, to procure a virtually unanimous expression of opinion that the Templars deserved death.†

With the prestige of the nation at his back, Philippe went from Tours, at the end of May, to Clement at Poitiers, accompanied by a strong deputation, including his brothers, his sons, and his coun-

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* Du Puy, pp. 12–18, 84–5, 89, 109, 111–12, 184.—D'Achery Spicileg. II. 199.—Raynouard, p. 238, 306.

Jean de S. Victor gives the date of the declaration of the University as the Saturday after Ascension (May 25, *ap.* Bouquet, XXI. 651), but Du Puy describes the document as sealed with fourteen seals, and dated on Lady Day (March 25).

† Archives Administratives de Reims, T. II. pp. 65, 66.—Chassaing Spicilegium Brivatense, pp. 274–5.—Du Puy, pp. 88–9, 85, 113, 116.—Contin. Nangiac. ann. 1308.—Joann. de S. Victor. (Bouquet, XXI. 650).—Raynouard, p. 42.

cillors. Long and earnest were the disputations over the affair, Philippe urging, through his spokesman, Guillaume de Plaisian, that the Templars had been found guilty and that immediate punishment should follow; Clement reiterating his grievance that an affair of such magnitude, exclusively appertaining to the Holy See, should be carried on without his initiative. A body like the Order of the Temple had powerful friends all over Europe whose influence with the curia was great, and the papal perplexities were manifold as one side or the other preponderated; but Clement had irrevocably committed himself in the face of all Europe by his bull of November 22, and it was in reality but a question of the terms on which he would allow the affair to go on in France by removing the suspension of the powers of the Inquisition. The bargaining was sharp, but an agreement was reached. As Clement had reserved the matter for papal judgment, it was necessary that some show of investigation should be had. Seventy-two Templars were drawn from the prisons of Paris to be examined by the pope and sacred college, that they might be able to assert personal knowledge of their guilt. Clement might well shrink from confronting de Molay and the chiefs of the Order whom he was betraying, while at the same time they could not be arbitrarily omitted. They were therefore stopped at Chinon near Tours, under pretext of sickness, while the others were sent forward to Poitiers. From the 28th of June to July 1 they were solemnly examined by five cardinals friendly to Philippe deputed for the purpose. The official report of the examinations shows the care which had been exercised in the selection of those who were to perform this scene in the drama. A portion of them were spontaneous witnesses who had left, or had tried to leave, the Order. The rest, with the terrible penalty for retraction impending over them, confirmed the confessions made before the Inquisition, which in many cases had been extracted by torture. Then, July 2, they were brought before the pope in full consistory and the same scene was enacted. Thus the papal jurisdiction was recognized; Clement in his subsequent bulls could speak of his own knowledge, and could declare that the accused had confessed their errors spontaneously and without coercion, and had humbly begged for absolution and reconciliation.*

* Ptol. Lucens. Hist. Eccles. Lib. xxiv. (Muratori S. R. I. XI. 1229–30).—

The agreement duly executed between Clement and Philippe bore that the Templars should be delivered to the pope, but be guarded in his name by the king; that their trials should be proceeded with by the bishops in their several dioceses, to whom, at the special and earnest request of the king, the inquisitors were adjoined—but de Molay and the Preceptors of the East, of Normandy, Poitou, and Provence, were reserved for the papal judgment; the property was to be placed in the hands of commissioners named by the pope and bishops, to whom the king was secretly to add appointees of his own, but he was to pledge himself in writing that it should be employed solely for the Holy Land. Clement assumed that the fate of the Order, as an institution, was too weighty a question to be decided without the intervention of a general council, and it was decided to call one in October, 1310. The Cardinal of Palestrina was named as the papal representative in charge of the persons of the Templars—a duty which he speedily fulfilled by transferring them to the king under condition that they should be held at the disposition of the Church. Clement performed his part of the bargain by removing, July 5, the suspension of the inquisitors and bishops, and restoring their jurisdiction in the matter. Directions were sent at the same time to each of the bishops in France to associate with himself two cathedral canons, two Dominicans, and two Franciscans, and proceed with the trials of the individual Templars within his diocese, admitting inquisitors to participate at will, but taking no action against the Order as a whole; all persons were ordered, under pain of excommunication, to arrest Templars and deliver them to the inquisitors or episcopal officials, and Philippe furnished twenty copies of royal letters commanding his subjects to restore to the papal deputies all property, real and personal, of the Order.*

Joann. de S. Victor (Bouquet, XXI. 650).—Raynouard, pp. 44–5, 245–52.—Du Puy, pp. 13–14.—Schottmüller, op. cit. II. 13 sqq.—Bull. *Faciens misericordiam*, 12 Aug. 1308 (Rymer, II. 101.—Mag. Bull. Rom. IX. 136).

* Du Puy, pp. 15–17, 20, 39, 86, 107–8, 118–19, 121–22, 125.—Contin. Nangiac. ann. 1308.—Raynouard, pp. 46, 49.—Joann. de S. Victor (Bouquet, XXI. 651).—D'Achery Spicileg. II. 200.

Guillaume de Plaisian, who had been Philippe's chief instrument in these transactions, received special marks of Clement's favor by briefs dated August 5 (Regest. Clement. PP. V. T. III. pp. 216, 227).

Although Clement declared in his bulls to Europe that Philippe had manifested his disinterestedness by surrendering all the Templar property, the question was one which gave rise to a good deal of skilful fencing on both sides. It is not worth while to pursue the affair in its details, but we shall see how in the end Philippe successfully cheated his partner in the game and retained the control which he apparently gave up.*

The rival powers having thus come to an understanding about their victims, proceedings were resumed with fresh energy. Clement made up for his previous hesitation with ample show of zeal. De Molay and the chief officials with him were detained at Chinon until the middle of August, when the Cardinals of SS. Nereo and Achille, of S. Ciriaco and of S. Angelo, were sent thither to examine them. These reported, August 20, to Philippe, that on the 17th and following days they had interrogated the Grand Master, the Master of Cyprus, the Visitor of France, and the Preceptors of Normandy and Poitou, who had confirmed their previous confessions and had humbly asked for absolution and reconciliation, which had been duly given them, and the king is asked to pardon them. There are two things noteworthy in this which illustrate the duplicity pervading the whole affair. In the papal bulls of August 12, five days before this examination was commenced, its results are fully set forth, with the assertion that the confessions were free and spontaneous. Moreover, when, in November, 1309, this bull was read over by the papal commission to de Molay, on hearing its recital of what he was said to have confessed he was stupefied, and, crossing himself twice, said he wished to God the

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* Bull. *Faciensmisericordiam.*—Raynald. ann. 1309, No. 3.—Du Puy, pp. 64-5, 86-88, 127, 207-9.—Proces des Templiers I. 50-2.—Raynouard, p. 47.—Regest. Clement. PP. V. T. IV. pp. 433-4.

Clement appointed six curators in France to look after the property for the Holy See. By letters of January 5, 1309, he gave them an allowance from the Templar property of forty sous *parisis* of good money each for every night which they might have to spend away from home, at the same time cautioning them that they must not fraudulently leave their houses without necessity (Regest. T. IV. p. 439). A brief of January 28, 1310, transferring from the Bishop of Vaison to the canon, Gerard de Bussy, the custody of certain Templar houses, shows that Clement succeeded in obtaining possession of a portion (Ib. T. V. p. 50).

custom of the Saracens and Tartars were observed towards persons so perverse, for they beheaded or cut in two those who thus perverted the truth. He might have said more had not Guillaume de Plaisian, the royal agent, who pretended to be his friend, cautioned him as to the risk which he ran in thus constructively retracting his confession, and he contented himself with asking for time for consideration.*

On August 12 Clement issued a series of bulls which regulated the methods of procedure in the case, and showed that he was prepared fully to perform his part of the agreement with Philippe. The bull *Faciens misericordiam*, addressed to the prelates of Christendom, recited at great length the proceedings thus far taken against the accused, and the guilt which they had spontaneously acknowledged; it directed the bishops, in conjunction with inquisitorial commissioners appointed by the pope, to summon all Templars before them and make inquisition concerning them. After this provincial councils were to be summoned, where the guilt or innocence of the individuals was to be determined, and in all the proceedings the local inquisitors had a right to take part. The results of the inquisitions, moreover, were to be promptly transmitted to the pope. With this was enclosed a long and elaborate series of articles on which the accused were to be examined—articles drawn up in Paris by the royal officials—and the whole was ordered to be published in the vernacular in all parish churches. The bull *Regnans in cœlis*, addressed to all princes and prelates, repeated the narrative part of the other, and ended by convoking, for October 1, 1310, a general council at Vienne, to decide as to the fate of the Order, to consult as to the recovery of the Holy Land, and to take such action as might be required for the reformation of the Church. By another bull, *Faciens misericordiam*, dated August 8, a formal summons was issued to all and singular of the Templars to appear before the council, personally or by procurators, on a certain day, to answer to the charges against the Order, and the Cardinal of Palestrina, who was in charge of them, was ordered to produce de Molay and the Preceptors of France, Normandy, Poitou, Aquitaine, and Provence to receive sentence. This was the simplest requirement of judicial procedure, and the

* Du Puy, pp. 33–4, 133.—Bull. *Faciens misericordiam.*—Proces, I. 34–5.

manner in which it was subsequently eluded forms one of the darkest features in the whole transaction. Finally there were other bulls elaborately providing for the payment of the papal commissioners and inquisitors, and ordering the Templar possessions everywhere to be sequestrated to await the result of the trial, and to be devoted to the Holy Land in case of condemnation. Much, it was stated, had already been wickedly seized and appropriated, and all persons were summoned to make restitution, under pain of excommunication. All debtors to the Order were summoned to pay, and all persons cognizant of such debts or of stolen property were required to give information. The series of bulls was completed by one of December 30, to be read in all churches, declaring all Templars to be suspect of heresy, ordering their capture as such and delivery to the episcopal ordinaries, and forbidding all potentates and prelates from harboring them or showing them any aid or favor, under pain of excommunication and interdict. At the same time another bull was directed to all the princes of Christendom, commanding them to seize any Templars who might as yet not have been arrested.*

The prosecution of the Templars throughout Europe was thus organized. Even such distant points as Achaia, Corsica, and Sardinia were not neglected. The large number of special inquisitors to be appointed was a work of time, and the correspondence between Philippe and Clement on the subject shows that they virtually were selected by the king. In France the work of prosecution was speedily set on foot, and, after a respite of some six months, the Templars found themselves transferred from the improvised inquisitorial tribunals set on foot by Frère Guillaume to the episcopal courts as provided by Clement. In every diocese

* Rymer, III. 101.—Mag. Bull. Rom. IX. 134, 136.—Harduin. VII. 1283, 1289, 1321, 1353.—Schmidt, Päbstliche Urkunden und Regesten, Halle, 1886, pp. 71–2.—Raynald. ann. 1308, No. 8.—Contin. Guill. Nangiac ann. 1308.—Raynouard, p. 50.—Regest. Clement. PP. V. T. III. pp. 281 sqq., pp. 363 sqq., 386 sqq.; T. IV. pp. 3, 276 sqq., 479–82.

The Master of England and the Master of Germany were reserved for papal judgment. The bull *Faciens misericordiam*, addressed to Germany, contained no command to assemble provincial councils (Harduin. VII. 1353).

In spite of all that had occurred, this bull seems to have taken the public by surprise outside of France. Walter of Hemingford calls it "*bullam horribilem contra Templarios*" (Chron. Ed. 1849, II. 279).

the bishops were soon busily at work. Curiously enough, some of them doubted whether they could use torture, and applied for instructions, to which Clement answered that they were to be governed by the written law, which removed their misgivings. The papal instructions indicate that these proceedings only concerned those Templars who had not passed through the hands of Frère Guillaume and his commissioners, but there seems to have been little distinction observed as to this. Clement urged forward the proceedings with little regard to formality, and authorized the bishops to act outside of their respective dioceses, and without respect to the place of origin of the accused. The sole object evidently was to extract from them satisfactory confessions, as a preparation for the provincial councils which were to be summoned for their final judgment. Those who had already confessed were not likely to retract. Before the papal commission in 1310, Jean de Cochiac exhibited a letter from Philippe de Vohet and Jean de Jamville, the papal and royal custodians of the prisoners, to those confined at Sens at the time the Bishop of Orleans was sent there to examine them (the archbishopric of Sens was then vacant), warning them that those who revoked the confessions made before "*los quizitor*" would be burned as relapsed. Vohet, when summoned before the commission, admitted the seal to be his, but denied authorizing the letter, and the commission prudently abstained from pushing the investigation further. The nervous anxiety manifested by most of those brought before the commission that their statements should accord with what they had said before the bishops, shows that they recognized the danger which they incurred.*

The treatment of those who refused to confess varied with the temper of the bishops and their adjuncts. The records of their tribunals have mostly disappeared, and we are virtually left to gather what we can from the utterances of a few witnesses who made to the commission chance allusions to their former experiences. Yet the proceedings before the Bishop of Clermont would show that they were not in all cases treated with undue harshness. He had sixty-nine Templars, of whom forty confessed,

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* Du Puy, pp. 110, 125.—Raynouard, p. 130.—Regest. Clement. PP. V. T. IV. pp. 453–55, 457–8.—Proces, I. 71–2, 128, 132, 135, 463, 511, 540, etc.

and twenty-nine refused to admit any evil in the Order. Then he assembled them and divided them into the two groups. The recusants declared that they adhered to their assertion, and that if they should subsequently confess through fear of torture, prison, or other affliction, they protested that they should not be believed, and that it should not prejudice them, nor does it appear that any constraint was afterwards put upon them. The others were asked whether they had any defence to offer, or whether they were ready for definitive sentence, when they unanimously declared that they had nothing to offer nor wished to hear their sentence, but submitted themselves to the mercy of the Church. What that mercy was we shall see hereafter. All bishops were not as mild as he of Clermont, but in the fragmentary recitals before the commission it is not always easy to distinguish the action of the episcopal tribunals from that of Frère Guillaume's inquisitors. A few instances will suffice to show how, between the two, testimony was obtained against the Order. Jean de Rompreye, a husbandman, declared that he knew nothing but good of the Order, although he had confessed otherwise before the Bishop of Orleans after being thrice tortured. Robert Vigier, a serving brother, likewise denied the accusations, though he had confessed them before the Bishop of Nevers at Paris, on account of the fierceness of the torture, under which he understood that three of his comrades, Gautier, Henri, and Chanteloup, had died. Bernard de Vado, a priest, had been tortured by fire applied to the soles of the feet to such an extent that a few days afterwards the bones of his heels dropped out, in testimony of which he exhibited the bones. Nineteen brethren from Périgord had confessed before the Bishop of Périgord through torture and starvation—one of them had been kept for six months on bread and water, without shoes or upper clothing. Guillaume d'Erré, when brought before the Bishop of Saintes, had denied all the charges, but after being put on bread and water and threatened with torture, had confessed to renouncing Christ and spitting at the cross—a confession which he now retracts. Thomas de Pamplona, under many tortures inflicted on him at St. Jean d'Angely, had confirmed the confession made by de Molay, and then, upon being put upon bread and water, had confessed before the Bishop of Saintes to spitting at the cross, all of which he now retracts. These instances might be multiplied

out of the few who had the hardihood to incur the risk of martyrdom attendant upon withdrawing their confessions. Indeed, in the universal terror impressed on the friendless and defenceless wretches, we cannot condemn those who yielded, and can only admire the constancy of those who endured the torture and braved the stake in defence of the Order. What was the general feeling among them was voiced by Aymon de Barbara, who had thrice been tortured, and had for nine weeks been kept on bread and water. He pitifully said that he had suffered in body and soul, but as for retracting his confession, he would not do so as long as he was in prison. The mental struggles which the poor creatures endured are well illustrated by Jean de Cormèle, Preceptor of Moissac, who when brought before the commission hesitated and would not describe the ceremonies at his own reception, though he declared that he had seen nothing wrong at the reception of others. The recollection of the tortures which he had endured in Paris, in which he had lost four teeth, completely unnerved him, and he begged to have time for consideration. He was given until the next day, and when he reappeared his resolution had broken down. He confessed the whole catalogue of villainies; and when asked if he had consulted any one, denied it, but said that he had requested a priest to say for him a mass of the Holy Ghost that God might direct him what to do.*

These instances will illustrate the nature of the work in which the whole episcopate of France was engaged during the remainder of the year 1308 and through 1309 and 1310. All this, however, concerned merely the members of the Order as individuals. The fate of the Templar possessions depended upon the judgment to be rendered on the Order as a body corporate, and for this purpose Clement had assigned for it a day on which it was to appear by its syndics and procurators before the Council of Vienne, to put in its defence and show cause why it should not be abolished. Seeing that the officers and members were scattered in prison throughout Europe, this was a manifest impossibility, and some method was imperatively required by which they could, at least constructively, be represented, if only to hear their sentence.

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* Raynouard, pp. 52–3.—Procès, I. 40, 75, 230, 506–9, 511–14, 520–1, 527–8; II. 13, 18.

Among the bulls of August 12, 1308, therefore, there was one creating a commission, with the Archbishop of Narbonne at its head, authorized to summon before it all the Templars of France, to examine them, and to report the result. Subsequent bulls of May, 1309, directed the commission to set to work, and notified Philippe concerning it. August 8, 1309, the commission assembled in the abbey of Sainte-Geneviève, and by letters addressed to all the archbishops of the kingdom cited all Templars to appear before them on the first working-day after Martinmas, and the Order itself to appear by its syndics and procurators at the Council of Vienne, to receive such sentence as God should decree. On the appointed day, November 12, the commissioners reassembled, but no Templars appeared. For a week they met daily, and daily the form was gone through of a proclamation by the apparitor that if any one wished to appear for the Order or its members the commission was ready to listen to him kindly, but without result. On examining the replies of the prelates they were found to have imperfectly fulfilled their duty. Philippe evidently regarded the whole proceeding with distrust, and was not inclined to aid it. A somewhat peremptory communication on November 18 was addressed to the Bishop of Paris, explaining that their proceedings were not against individuals, but against the whole Order; that no one was to be forced to appear, but that all who so chose must be allowed to come. This brought the bishop before them on November 22, with explanations and apologies; and a summons to Philippe de Voliet and Jean de Jamville, the papal and royal custodians of the Templars, brought those officials to promise obedience. Yet the obstacles to the performance of their task did not disappear. On the 22d they were secretly informed that some persons had come to Paris in lay garments to defend the Order, and had been thrown in prison. Thereupon they sent for Jean de Plublaveh, *prevôt* of the Châtelet, who said that by royal order he had arrested seven men said to be Templars in disguise, who had come with money to engage advocates in defence of the Order, but on torturing two of them he had found this not to be the case. The matter proved to be of little significance except as manifesting the purpose of the king to control the action of the commission.*

* Joann. de S. Victor (Bouquet, XXI. 654).—Procès, I. 1–31.

At length the commission succeeded in securing the presence of de Molay, of Hugues de Peraud, and of some of the brethren confined in Paris. De Molay said he was not wise and learned enough to defend the Order, but he would hold himself vile and miserable if he did not attempt it. Yet he was a prisoner and penniless; he had not four deniers to spend, and only a poor serving brother with whom to advise; he prayed to have aid and counsel, and he would do his best. The commissioners reminded him that trials for heresy were not conducted according to legal forms, that advocates were not admitted, and they cautioned him as to the risk he incurred in defending the Order after the confession which he had made. Kindly they read over to him the report of the cardinals as to his confession at Chinon; and on his manifesting indignation and astonishment, Guillaume de Plaisian, who seems to have been watching the proceedings on the part of the king, gave him, as we have already seen, another friendly caution which closed his lips. He asked for delay, and when he reappeared Guillaume de Nogaret was there to take advantage of any imprudence. From the papal letters which had been read to him he learned that the pope had reserved him and the other chiefs of the Order for special judgment, and he therefore asked to have the opportunity of appearing before the papal tribunal without delay. The shrewdness of this device thus made itself apparent. It separated the leaders from the rest; de Molay, Hugues de Peraud, and Geoffroi de Gonneville were led to hope for special consideration, and selfishly abandoned their followers. As for the brethren, their answers to the commission were substantially that of Geraud de Caux—he was a simple knight, without horse, arms, or land; he knew not how, and could not defend the Order.*

By this time Philippe seems to have been satisfied that no harm could come from the operations of the commission. His opposition disappeared, and he graciously lent them his assistance. November 28, a second summons was sent to the bishops threatening them with papal indignation for a continuance of their neglect, and, what was far more efficacious, it was accompanied with orders from Philippe directing his jailers to afford to the episcopal officials access to the imprisoned Templars, while the baillis were

* Proces, I. 28, 29, 41–5, 88.

instructed to send to Paris, under sure guard, all Templars desiring to defend their Order.*

February 3, 1310, was the day named in this new citation. By the 5th Templars began to pour in, nearly all eager to defend their Order. They accumulated until the commission was embarrassed how to deal with them, and finally, on March 28, five hundred and forty-six who had offered to defend were assembled in the garden of the episcopal palace, where the commissioners explained to them what was proposed, and suggested that they should nominate six or eight or ten of their number to act as procurators; they would not again have an opportunity of meeting, and the commission would proceed on the 31st, but the procurators should have access to them in their several prisons, and should agree with them as to what defence should be offered. A promiscuous crowd, whose differences of dialect rendered intercommunication impossible, abandoned by their natural leaders and thus suddenly brought together, was not fitted for deliberation on so delicate an emergency. Many hesitated about acting without orders from the Master, for all initiative on the part of subordinates was strictly forbidden by the Rule. The commissioners seem to have been sincerely desirous of getting the matter into some sort of shape, and finally, on the 31st, they ordered their notaries to visit the houses in which the Templars were confined and report their wishes and conclusions. This was a process requiring time, and the reports of the notaries after making their daily rounds are pitiful enough. The wretched prisoners floundered helplessly when called upon to resolve as to their action. Most of them declared the Order to be pure and holy, but knew not what to do in the absence of their superiors. There was a general clamor, often on bended knees, for readmission to the sacraments. Many begged to be assured that when they died they should be buried in consecrated ground; others offered to pay for a chaplain out of the miserable allowance doled to them; some asked that the allowance be increased, others that they shonld have clothes to cover their nakedness. They were urgent in the impossible request that they should have experts and learned men to advise with and appear for them, for they

* Procès, I. 47-53.

were simple and illiterate, chained in prison and unable to act; and they further begged that security should be given to witnesses, as all who had confessed were threatened with burning if they should retract. A paper presented April 4 by those confined in the house of the Abbot of Tiron is eloquent in its suggestiveness as to their treatment, for the houses in which they were quartered had apparently taken them on speculation. They assert the purity of the Order and their readiness to defend it as well as men can who are fettered in prison and pass the night in dark fosses. They further complain of the insufficiency of their allowance of twelve deniers a day, for they pay three deniers each per day for their beds; for hire of kitchen, napery, and cloths, two sols six deniers per week; two sols for taking off and replacing their fetters when they appear before the commission; for washing, eighteen deniers a fortnight; wood and candles, four deniers a day, and ferriage across from Nôtre Dame, sixteen deniers. It is evident that the poor creatures were exploited relentlessly.*

The outcome of the matter was that on April 7 nine representatives presented a paper in the name of all, declaring that without authority from the Master and Convent they could not appoint procurators, but they offer themselves one and all in defence of the Order, and ask to be present at the council or wherever it is on trial. They declare the charges to be horrible and impossible lies fabricated by apostates and fugitives expelled for crime from the Order, confirmed by torturing those who uphold the truth, and encouraging liars with recompenses and great promises. It is wonderful, they say, to see greater faith reposed in those corrupted thus by worldly advantage than in those who, like the martyrs of Christ, have died in torture with the palm of martyrdom, and in the living who, for conscience' sake, have suffered and daily suffer in their dungeons so many torments, tribulations, and miseries. In the universal terror prevailing they pray that when the brethren are examined there may be present no laymen or others whom they may fear, and that security may be

* Procès, I. 103–51.—It must be borne in mind that the allowance was in the fearfully debased currency of Philippe le Bel. According to a document of 1318 the livre Tournois still was to the sterling pound as 1 to 4¼ (Olim, III. 1279).

Other Templars subsequently offered to defend the Order, making five hundred and seventy-three up to May 2.

assured them, for all who have confessed are daily threatened with burning if they retract. In reply the commissioners disavowed responsibility for their ill-usage, and promised to ask that they be humanely treated in accordance with the orders of the Cardinal of Palestrina, to whom they had been committed by the pope. The Grand Master, they added, had been urged to defend the Order, but had declined, and claimed that he was reserved for the pope.*

Having thus given the Templars a nominal opportunity for defence, the commissioners proceeded to take testimony, appointing four of the representatives, Renaud de Provins, Preceptor of Orleans, Pierre de Boulogne, procurator of the Order in the papal court, and Geoffroi de Chambonnet and Bertrand de Sartiges, knights, to be present at the swearing of the witnesses, and to do what might be requisite without constituting them formal defenders of the Order. These four on April 13 presented another paper in which, after alluding to the tortures employed to extort confessions, they stated it to be a notorious fact that to obtain testimony from Templars sealed royal letters had been given them promising them liberty and large pensions for life, and telling them that the Order was permanently abolished. This was evidently intended as a protest to pave the way for disabling the adverse witnesses, which, as we have seen, was the only defence in the inquisitorial process, and with the same object they also asked for the names of all witnesses. They did not venture to ask for a copy of the evidence, but they earnestly requested that it should be kept secret, to avert the danger that might otherwise threaten the witnesses. Subject to the interruption of the Easter solemnities, testimony, mostly adverse to the Order, continued to be taken up to May 9, from witnesses apparently carefully selected for the purpose. On Sunday, May 10, the commissioners were suddenly called together, at the request of Renaud de Provins and his colleagues, to receive the startling announcement that the provincial Council of Sens, which had been hastily assembled at Paris, proposed to prosecute all the Templars who had offered to defend the Order. Most of these had previously confessed; they had heroically taken their lives in their hands when, by asserting the purity of the Order,

* Procès, I. 165–72.

they had constructively revoked their confessions. The four Templars therefore appealed to the commissioners for protection, as the action of the council would fatally interfere with the work in hand; they demanded *apostoli*, and that their persons and rights and the whole Order should be placed under the guardianship of the Holy See, and time and money be allowed to prosecute the appeal. They further asked the commissioners to notify the Archbishop of Sens to take no action while the present examination was in progress, and that they be sent before him with one or two notaries to make a protest, as they can find no one who dares to draw up such an instrument for them. The commissioners were sorely perplexed and debated the matter until evening, when they recalled the Templars to say that while they heartily compassionated them they could do nothing, for the Archbishop of Sens and the council were acting under powers delegated by the pope.*

It was no part of Philippe's policy to allow the Order any opportunity to be heard. The sudden rally of nearly six hundred members, after their chiefs had been skilfully detached from them, and their preparations for defence at the approaching council promised a struggle which he proceeded to crush at the outset with his customary unscrupulous energy. The opportunity was favorable, for after long effort he had just obtained from Clement the archbishopric of Sens (of which Paris was a suffragan see) for a youthful creature of his own, Philippe de Marigny, brother of his minister Enguerrand, who took possession of the dignity only on April 5. The bull *Faciens misericordiam* had prescribed that, after the bishops had completed their inquests, provincial councils were to be called to sit in judgment on the individual brethren. In pursuance of this, the king through his archbishops was master of the situation. Provincial councils were suddenly called, that for Sens to meet at Paris, for Reims at Senlis, for Normandy at Pont de l'Arche, and for Narbonne at Carcassonne, and a demonstration was organized which should paralyze at once and forever all thought of further opposition to his will. No time was wasted in any pretence of judicial proceedings, for the canon law provided that relapsed heretics were to be condemned with-

* Procès, I. 173, 201–4, 259–64.

out a hearing. On the 11th the Council of Sens was opened at Paris. On the 12th, while the commissioners were engaged in taking testimony, word was brought them that fifty-four of those who had offered to defend the Order had been condemned as relapsed heretics for retracting their confessions, and were to be burned that day. Hastily they sent to the council Philippe de Vohet, the papal custodian of the Templars, and Amis, Archdeacon of Orleans, to ask for delay. Vohet, they said, and many others asserted that the Templars who died in prison declared on peril of their souls that the crimes alleged were false; Renaud de Provins and his colleagues had appealed before them from the council; if the proposed executions took place the functions of the commission would be impeded, for the witnesses that day and the day before were crazed with terror and wholly unfit to give evidence. The envoys hurried to the council-hall, where they were treated with contempt and told that it was impossible that the commission could have sent such a message. The fifty-four martyrs were piled in wagons and carried to the fields near the convent of S. Antoine, where they were slowly tortured to death with fire, refusing all offers of pardon for confession, and manifesting a constancy which, as a contemporary tells us, placed their souls in great peril of damnation, for it led the people into the error of believing them innocent. The council continued its work, and a few days later burned four more Templars, so that if there were any who still proposed to defend the Order they might recognize what would be their fate. It ordered the bones of Jean de Tourne, former treasurer of the Temple, to be exhumed and burned; those who confessed and adhered to their confessions were reconciled to the Church and liberated; those who persisted in refusing to confess were condemned to perpetual prison. This was rather more humane than the regular inquisitorial practice, but it suited the royal policy of the moment. A few weeks later, at Senlis, the Council of Reims burned nine more; at Pont de l'Arche three were burned, and a number at Carcassonne.*

* Fisquet, La France Pontificale, Sens, p. 68.—Procès, I. 274–5, 281.—Contin. Chron. G. de Fracheto (Bouquet, XXI. 33).—Chron. Anon. (Bouquet, XXI. 140).—Amalr. Auger. Hist. Pontif. (Eccard II. 1810).—Trithem. Chron. Hirsaug. ann. 1307.—Bern. Guidon. Flor. Chron. (Bouquet, XXI. 719).—Joann. de S. Victor

This ferocious expedient accomplished its purpose. When, on the day after the executions at Paris, May 13, the commission opened its session, the first witness, Aimery de Villiers, threw himself on his knees, pale and desperately frightened; beating his breast and stretching forth his hands to the altar, he invoked sudden death and perdition to body and soul if he lied. He declared that all the crimes imputed to the Order were false, although he had, under torture, confessed to some of them. When he had yesterday seen his fifty-four brethren carried in wagons to be burned, and heard that they had been burned, he felt that he could not endure it and would confess to the commissioners or to any one else whatever might be required of him, even that he had slain the Lord. In conclusion he adjured the commissioners and the notaries not to reveal what he had said to his jailers, or to the royal officials, for he would be burned like the fifty-four. Then a previous witness, Jean Bertrand, came before the commission to supplicate that his deposition be kept secret on account of the danger impending over him. Seeing all this, the commission felt that during this general terror it would be wise to suspend its sittings, and it did so. It met again on the 18th to reclaim fruitlessly from the Archbishop of Sens, Renaud de Provins, who had been put on trial before the council. Pierre de Boulogne was likewise snatched away and could not be obtained again. Many of the Templars who had offered to defend the Order made haste to withdraw, and all effort to provide for it an organized hearing before the Council of Vienne was perforce abandoned. Whether Clement was privy to this high-handed interruption of the functions of his commission is perhaps doubtful, but he did nothing to rehabilitate it, and his quiescence rendered him an accomplice. He had only succeeded

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(Bouquet, XXI. 654-55).—Contin. Guill. Nangiac. ann. 1310.—Grandes Chroniques, V. 187.—Chron. Cornel. Zantfliet ann. 1310 (Martene Ampl. Coll. V. 158).—Bessin, Concil. Rotomagens. p. iii.—Raynouard, pp. 118-20.

It was not all bishops who were ready to accept the inquisitorial doctrine that revocation of confession was equivalent to relapse. The question was discussed in the Council of Narbonne and decided in the negative.—Raynouard, p. 106.

The number of those who refused to confess was not insignificant. Some papers respecting the expenses of detention of Templars at Senlis describe sixty-five as not reconciled, who therefore cannot have confessed.—Ib. p. 107.

in betraying to a fiery death the luckless wretches whom he had tempted to come forward.*

On April 4, by the bull *Alma Mater*, Clement had postponed the Council of Vienne from October, 1310, until October, 1311, in consequence of the inquisition against the Templars requiring more time than had been expected. There was, therefore, no necessity for haste on the part of the commission, and it adjourned until November 3. Its members were long in getting together, and it did not resume its sessions until December 17. Then Guillaume de Chambonnet and Bertrand de Sartiges were brought before it, when they protested that they could not act for the Order without the aid of Renaud de Provins and Pierre de Boulogne. These, the commission informed them, had solemnly renounced the defence of the Order, had returned to their first confessions, and had been condemned to perpetual imprisonment by the Council of Sens, after which Pierre had broken jail and fled. The two knights were offered permission to be present at the swearing of the witnesses, with opportunity to file exceptions, but they declared themselves unfitted for the task and retired. Thus all pretence of affording the Order a chance to be heard was abandoned, and the subsequent proceedings of the commission became merely an *ex parte* accumulation of adverse testimony. It sat until June, industriously hearing the witnesses brought before it; but as those were selected by Philippe de Vohet and Jean de Jamville, care was evidently taken as to the character of the evidence that should reach it. Most of the witnesses, in fact, had been reconciled to the Church through confession, abjuration, and absolution, and no longer belonged to the Order which they had abandoned to its fate. Among the large number of Templars who had refused to confess, only a few, and these apparently by accident, were allowed to appear before it. There were also a few who dared to retract what they had stated before the bishops, but with these slender exceptions all the evidence was adverse to the Order. In fact, it frequently happened that witnesses were sworn who never reappeared to give their testimony, and that this was not accidental is rendered probable by the fact that Renaud de Provins was one of these. Finally, on June 5, the commission closed its labors and

* Procès, I. 275–83.

transmitted without comment to Clement its records as part of the material to guide the judgment of the assembled Church at the Council of Vienne.*

Before proceeding to the last scene of the drama at Vienne, it is necessary to consider briefly the action taken with the Templars outside of France. In England, Edward II., on October 30, 1307, replied to Philippe's announcement of October 16, to the effect that he and his council have given the most earnest attention to the matter; it has caused the greatest astonishment, and is so abominable as to be well-nigh incredible, and, to obtain further information, he had sent for his Seneschal of Agen. So strong were his convictions and so earnest his desire to protect the threatened Order that on December 4 he wrote to the Kings of Portugal, Castile, Aragon, and Naples that the accusations must proceed from cupidity and envy, and begging them to shut their ears to detraction and do nothing without deliberation, so that an Order so distinguished for purity and honor should not be molested until legitimately convicted. Not content with this, on the 10th he replied to Clement that the reputation of the Templars in England for purity and faith is such that he cannot, without further proof, believe the terrible rumors about them, and he begs the pope to resist the calumnies of envious and wicked men. In a few days, however, he received Clement's bull of November 22, and could no longer doubt the facts asserted by the head of Christendom. He hastened to obey its commands, and on the 15th elaborate orders were already prepared and sent out to all the sheriffs in England, with minute instructions to capture all the Templars on January 10, 1308, including directions as to the sequestration and disposition of their property, and this was followed on the 20th by

* Harduin. VII. 1334.—Procès, I. 286–7; II. 3–4, 269–73.—Raynouard, pp. 254–6.—A notarial attestation describes the voluminous record as consisting of 219 folios with forty lines to the page, equivalent to 17,520 lines.

How close a watch was kept on the witnesses is seen in the case of three, Martin de Mont Richard, Jean Durand, and Jean de Runns, who, on March 22, asserted that they knew of no evil in the Order. Two days later they are brought back to say that they had lied through folly. When before their bishops they had confessed to renouncing and spitting, and it was true. What persuasions were applied to them during the interval no one can tell.—Procès, II. 88–96, 107–9.

similar commands to the English authorities in Ireland, Scotland, and Wales. Possibly Edward's impending voyage to Boulogne to marry Isabella, the daughter of Philippe le Bel, may have had something to do with his sudden change of purpose.*

The seizure was made accordingly, and the Templars were kept in honorable durance, not in prison, awaiting papal action; for there seems to have been no disposition on the part either of Church or State to take the initiative. The delay was long, for though commissions were issued August 12, 1308, to the papal inquisitors, Sicard de Lavaur and the Abbot of Lagny, they did not start until September, 1309, and on the 13th of that month the royal safe-conducts issued for them show their arrival in England. Then instructions were sent out to arrest all Templars not yet seized and gather them together in London, Lincoln, and York, for the examinations to be held, and the bishops of those sees were strictly charged to be present throughout. Similar orders were sent to Ireland and Scotland, where the inquisitors appointed delegates to attend to the matter. It apparently was not easy to get the officials to do their duty, for December 14 instructions were required to all the sheriffs to seize the Templars who were wandering in secular habits throughout the land, and in the following March and again in January, 1311, the Sheriff of York was scolded for allowing those in his custody to wander abroad. Popular sympathy evidently was with the inculpated brethren.†

At length, on October 20, 1309, the papal inquisitors and the Bishop of London sat in the episcopal palace to examine the Templars collected in London. Interrogated singly on all the numerous articles of accusation, they all asserted the innocence of the Order. Outside witnesses were called in who mostly declared their belief to the same effect, though some gave expression to the vague popular rumors and scandalous stories suggested by the secrecy of proceedings within the Order. The inquisitors were nonplussed. They had come to a country whose laws did not recognize the use of torture, and without it they were powerless to

* Rymer, Fœdera, III. 18, 34–7, 43–6.

† Regest. Clement. PP. V. T. III. pp. 316, 477.—Rymer, Fœd. III. 168–9, 173, 179–80, 182, 195, 203–4, 244.

The pay assigned to the inquisitors was three florins each *per diem*, to be assessed on the Templar property (Regest. ubi sup.).

accomplish the work for which they had been sent. In their disgust they finally applied to the king, and on December 15 they obtained from him an order to the custodians of the prisoners to permit the inquisitors and episcopal ordinaries to do with the bodies of the Templars what they pleased, "in accordance with ecclesiastical law"—ecclesiastical law, by the hideous perversion of the times, having come to mean the worst of abuses, from which secular law still shrank. Either the jailers or the episcopal officials interposed difficulties, for the mandate was repeated March 1, 1310, and again March 8, with instructions to report the cause if the previous one had not been obeyed. Still no evidence worth the trouble was gained, though the examinations were prolonged through the winter and spring until May 24, when three captured fugitives were induced by means easily guessed to confess what was wanted, of which use was made to the utmost. At length Clement grew impatient under this lack of result. On August 6 he wrote to Edward that it was reported that he had prohibited the use of torture as contrary to the laws of the kingdom, and that the inquisitors were thus powerless to extract confessions. No law or usage, he said, could be permitted to override the canons provided for such cases, and Edward's counsellors and officials who were guilty of thus impeding the Inquisition were liable to the penalties provided for that serious offence, while the king himself was warned to consider whether his position comported with his honor and safety, and was offered remission of his sins if he would withdraw from it—perhaps the most suggestive sale of an indulgence on record. Similar letters at the same time were sent to all the bishops of England, who were scolded for not having already removed the impediment, as they were in duty bound to do. Under this impulsion Edward, August 26, again ordered that the bishops and inquisitors should be allowed to employ ecclesiastical law, and this was repeated October 6 and 23, November 22, and April 28, 1311—in the last instances the word torture being used, and in all of them the king being careful to explain that what he does is through reverence for the Holy See. August 18, 1311, similar instructions were sent to the Sheriff of York.*

* Wilkins, Concil. Mag. Brit. II. 329–92. — Rymer, III. 195, 202–3, 224–5, 227–32, 260, 274.—Regest. Clement. PP. V. T. V. pp. 455–7.

Thus for once the papal Inquisition found a foothold in England, but apparently its methods were too repugnant to the spirit of the nation to be rewarded with complete success. In spite of examinations prolonged for more than eighteen months, the Templars could not be convicted. The most that could be accomplished was, that in provincial councils held in London and York in the spring and summer of 1311, they were brought to admit that they were so defamed for heresy that they could not furnish the purgation required by law; they therefore asked for mercy and promised to perform what penance might be enjoined on them. Some of them, moreover, submitted to a form of abjuration. The councils ordered them scattered among different monasteries to perform certain penance until the Holy See should decide as to the future of the Order. This was the final disposition of the Templars in England. A liberal provision of fourpence a day was made for their support, while two shillings was assigned to William de la More, the Master of England, and on his death it was continued to Humbert Blanc, the Preceptor of Auvergne, who, fortunately for himself, was in England at the time of arrest, and was caught there. This shows that they were not regarded as criminals, and the testimony of Walsingham is that in the monasteries to which they were assigned they comported themselves piously and righteously in every respect. In Ireland and Scotland their examinations failed to procure any proof against the Order, save the vague conjectures and stories of outside witnesses industriously gathered together.*

In Lorraine, as soon as news came of the seizure in France, the Preceptor of Villencourt ordered the brethren under him to shave and abandon their mantles, which was virtually releasing them from the Order. Duke Thiebault followed the exterminating pol-

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* Wilkins, II. 314, 373-83, 394-400.—Rymer, III. 395, 327, 334, 349, 472-3.—Procès des Templiers, II. 130.—D'Argentré I. i. 280.

That the allowance for the Templars was liberal is shown by that made for the Bishop of Glasgow when confined, in 1312, in the Castle of Porchester. His *per diem* was 6*d*., that for his valet 3*d*., for his chaplain five farthings, and the same for his servant (Rymer, III. 363). The wages of the janitor of the Temple in London was 2*d*., by a charter of Edward II. in 1314 (Wilcke, II. 498).

icy of Philippe with complete success. A large number of the Templars were burned, and he managed to secure most of their property.*

In Germany our knowledge of what took place is somewhat fragmentary. The Teutonic Order afforded a career for the German chivalry, and the Templars were by no means so numerous as in France, their fate was not so dramatic, and it attracted comparatively little attention from the chroniclers. One annalist informs us that they were destroyed with the assent of the Emperor Henry on account of their collusion with the Saracens in Palestine and Egypt, and their preparation for establishing a new empire for themselves among the Christians, which shows how little impression on the popular mind was made by the assertion of their heresies. For the most part, indeed, the action taken depended upon the personal views of the princely prelates who presided over the great archbishoprics. Burchard III. of Magdeburg was the first to act. Obliged to visit the papal court in 1307 to obtain the pallium, he returned in May, 1308, with orders to seize all the Templars in his province; and as he was already hostile to them, he obeyed with alacrity. There were but four houses in his territories: on these and their occupants he laid his hands, leading to a long series of obscure quarrels, in which he incurred excommunication from the Bishop of Halberstadt, which Clement hastened to remove; by burning some of the more obstinate brethren, moreover, he involved himself in war with their kindred, in which he fared badly. As late as 1318 the Hospitallers are found complaining to John XXII. that Templars were still in possession of the greater portion of their property.†

The bull *Faciens misericordiam* of August, 1308, sent to the German prelates, reserved, with Clement's usual policy, the Grand Preceptor of Germany for papal judgment. With the exception of Magdeburg, its instructions for active measures received slack

* Procès, II. 267.—Calmet, Hist. Gén. de Lorraine, II. 436.

† Gassari Annal. Augstburgens. ann. 1312 (Menken. Scriptt. I. 1473).—Torquati Series Pontif. Magdeburg. ann. 1307–8 (Menken. III. 390).—Raynald. ann. 1310, No. 40.—Chron. Episc. Merseburgens. c. xxvii. § 3 (Ludewig IV. 408).—Bothonis Chron. ann. 1311 (Leibnitz III. 374).—Wilcke, II. 242, 246, 324–5.—Regest. Clement. PP. V. T. V. p. 271.—Schmidt, Päbstliche Urkunden und Regesten, Halle, 1886, p. 77.—Havemann, p. 333.

obedience. It was not to much purpose that, on December 30 of the same year, he wrote to the Duke of Austria to arrest all the Templars in his dominions, and commissioned the Ordinaries of Mainz, Trèves, Cologne, Magdeburg, Strassburg, and Constance as special inquisitors within their several dioceses, while he sent the Abbot of Crudacio as inquisitor for the rest of Germany, ordering the prelates to pay him five gold florins a day. It was not until 1310 that the great archbishops could be got to work, and then the results were disappointing. Trèves and Cologne, in fact, made over to Burchard of Magdeburg, in 1310, their authority as commissioners for the seizure of the Templar lands, and Clement confirmed this with instructions to proceed with vigor. As regards the persons of the Templars, at Trèves an inquest was held in which seventeen witnesses were heard, including three Templars, and resulting in their acquittal. At Mainz the Archbishop Peter, who had incurred Clement's displeasure by transferring to his suffragans his powers as commissioner over the Templar property, was at length forced to call a provincial council, May 11, 1310. Suddenly and unbidden there entered the Wild- and Rheingraf, Hugo of Salm, Commander of Grumbach, with twenty knights fully armed. There were fears of violence, but the archbishop asked Hugo what he bad to say: the Templar asserted the innocence of the Order; those who had been burned had steadfastly denied the charges, and their truth had been proved by the crosses on their mantles remaining unburned—a miracle popularly believed, which had much influence on public opinion. He concluded by appealing to the future pope and the whole Church, and the archbishop, to escape a tumult, admitted the protest. Clement, on hearing of these proceedings, ordered the council to be reassembled and to do its work. He was obeyed. The Wildgraf Frederic of Salm, brother of Hugo and Master of the Rhine-province, offered to undergo the red-hot iron ordeal, but it was unnecessary. Forty-nine witnesses, of whom thirty-seven were Templars, were examined, and all swore to the innocence of the Order. The twelve non-Templars, who were personages of distinction, were emphatic in their declarations in its favor. Among others, the Archpriest John testified that in a time of scarcity, when the measure of corn rose from three sols to thirty-three, the commandery at Mostaire fed a thousand persons a day. The result was a verdict of acquit-

tal, which was so displeasing to the pope that he ordered Burchard of Magdeburg to take the matter in hand and bring it to a more satisfactory conclusion. Burchard seems to have eagerly obeyed, but the results have not reached us. Archbishop Peter continued to hope for some adjustment, and when, after the Council of Vienne, he was forced to hand over the Templar property to the Hospitallers, he required the latter to execute an agreement to return the manor of Topfstadt if the pope should restore the Order.*

In Italy the Templars were not numerous, and the pope had better control over the machinery for their destruction. In Naples the appeal of Edward II. was in vain. The Angevine dynasty was too closely allied to the papacy to hesitate, and when a copy of the bull *Pastoralis præeminentiæ*, of November 21, 1307, was addressed to Robert, Duke of Calabria, son of Charles II., there was no hesitation in obedience. Orders were speedily sent out to all the provinces under the Neapolitan crown to arrest the Templars and sequestrate their property. Philip, Duke of Achaia and Romania, the youngest son of Charles, was forthwith commanded to carry out the papal instructions in all the possessions in the Levant. January 3, 1308, the officials in Provence and Forcalquier were instructed to make the seizure January 23. The Order was numerous in those districts, but the members must have mostly fled, for only forty-eight were arrested, who are said to have been tried and executed, but a document of 1318 shows that Albert de Blacas, Preceptor of Aix and St. Maurice, who had been imprisoned in 1308, was then still enjoying the Commandery of St. Maurice, with consent of the Hospitallers. The Templar movables were divided between the pope and king, and the landed possessions were made over to the Hospital. In the kingdom of Naples itself, some fragmentary reports of the papal commission sent

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* Harduin. VII. 1353.—Regest. Clement. PP. V. T. IV. pp. 3–4; T. V. p. 272.—Du Puy, pp. 62–3, 130–1.—Schmidt, Päbstliche Urkunden, p. 77.—Raynald. ann. 1310, No. 40.—Raynouard, pp. 127, 270.—Jo. Latomi Cat. Archiepp. Moguntt. (Menken. III. 526).—H. Mutii Chron. Lib. XXII. ann. 1311.—Wilcke, II. 243, 246, 325, 339.—Schottmüller, I. 445–6.

Even Raynaldus (ann. 1307, No. 12) alludes to the incombustibility of the Templars' crosses as an evidence in their favor.

in 1310 to obtain evidence against the Order as a whole and against the Grand Preceptor of Apulia, Oddo de Valdric, show that no obstacle was thrown in the way of the inquisitors in obtaining by the customary methods the kind of testimony desired. The same may be said of Sicily, where, as we have seen, Frederic of Aragon had admitted the Inquisition in 1304.*

In the States of the Church we have somewhat fuller accounts of the later proceedings. Although we know nothing of what was done at the time of arrest, there can be no doubt that in a territory subjected directly to Clement his bull of November 22, 1307, was strictly obeyed; that all members of the Order were seized and that appropriate means were employed to secure confessions. When the papal commission was sent to Paris to afford the Order an opportunity to prepare its defence at the Council of Vienne, similar commissions, armed with inquisitorial powers, were despatched elsewhere, and the report of Giacomo, Bishop of Sutri, and Master Pandolfo di Sabello, who were commissioned in that capacity in the Patrimony of St. Peter, although unfortunately not complete, gives us an insight into the real object which underlay the ostensible purpose of these commissions. In October, 1309, the inquisitors commenced at Rome, where no one appeared before them, although they summoned not only members of the Order, but every one who had anything to say about it. In December they went to Viterbo, where five Templars lay in prison, who declined to appear and defend the Order. In January, 1310, they proceeded to Spoleto without finding either Templars or other witnesses. In February they moved to Assisi, where they adopted the form of ordering all Templars and their fautors to be brought before them, and this they repeated in March at Gubbio, but in both places without result. In April, at Aquila, they summoned witnesses to ascertain whether the Templars had any churches in the Abruzzi, but not even the preceptor of the Hospitallers could give them any information. All the Franciscans of the place were then assembled, but they knew nothing to the discredit of the Order. A few days later, at Penna, they adopted a

* Mag. Bull. Rom. IX. 131–2. — Archivio di Napoli, MSS. Chioccarello, T. VIII.—Du Puy, pp. 63-4, 87, 222-6.—Raynouard, pp. 200, 279-84.—Schottmüller, II. 108 sqq.

new formula by inviting all Templars and others who desired to defend the Order to appear before them. Here two Templars were found, who were personally summoned repeatedly, but they refused, saying that they would not defend the Order. One of them, Walter of Naples, was excused, owing to doubts as to his being a Templar, but the other, named Cecco, was brought before the inquisitors and told them of an idol kept for worship in the treasure-chamber of a preceptory in Apulia. In May, at Chieti, they succeeded in getting hold of another Templar, who confessed to renouncing Christ, idol-worship, and other of the charges. By May 23 they were back in Rome issuing citations, but again without result. The following week they were back at Viterbo, resolved to procure some evidence from the five captives imprisoned there, but the latter again sent word that none of them wished to appear before the inquisitors or to defend the Order. Five times in all they were summoned and five times they refused, but the inquisitors were not to be balked. Four of the prisoners were brought forward, and by means which can readily be guessed were induced to talk. From the 7th of June to the 19th, the inquisitors were employed in receiving their depositions as to renouncing Christ, spitting on the cross, etc., all of which was duly recorded as free and spontaneous. On July 3 the commissioners were at Albano issuing the customary summons, but on the 8th their messenger reported that he could find no Templars in Campania and Maritima; and a session at Velletri on the 16th was similarly fruitless. The next day they summoned other witnesses, but eight ecclesiastics who appeared had nothing to tell. Then at Segni they heard five witnesses without obtaining any evidence. Castel Fajole and Tivoli were equally barren, but on the 27th, at Palombara, Walter of Naples was brought to them from Penna, the doubts as to his membership of the Order having apparently been removed. Their persistence in this case was rewarded with full details of heretical practices. Here the record ends, the industrious search of nine months through these extensive territories having resulted in finding eight Templars, and obtaining seven incriminating depositions.* Even making allowance for those who may have succeeded in escaping, it shows, like the rest of the Italian proceedings, how scanty were the numbers of the Order in the Peninsula.

* Schottmüller, II. 406-19.

In the rest of Italy Clement's bull of 1307, addressed to the archbishops and ordering an inquest, seems to have been somewhat slackly obeyed. The earliest action on record is an order, in 1308, of Frà Ottone, Inquisitor of Lombardy, requiring the delivery of three Templars to the Podestà of Casale. Some further impulsion apparently was requisite, and in 1309 Giovanni, Archbishop of Pisa, was appointed Apostolic Nuncio in charge of the affair throughout Tuscany, Lombardy, Dalmatia, and Istria, with a stipend of eight florins *per diem*, to be assessed on the Templar property. In Ancona the Bishop of Fano examined one Templar who confessed nothing, and nineteen other witnesses who furnished no incriminating evidence, and in Romagnuola, Rainaldo, Archbishop of Ravenna, and the Bishop of Rimini interrogated two Templars at Cesena, both of whom testified to the innocence of the Order. The archbishop, who was papal inquisitor against the Templars in Lombardy, Tuscany, Tarvisina, and Istria, seems to have extended his inquest over part of Lombardy, though no results are recorded. Papal letters were published throughout Italy, empowering the inquisitors to look after the Templar property, of which the Archbishops of Bologna and Pisa were appointed administrators; it was farmed out and the proceeds remitted to Clement. Rainaldo of Bologna sympathized with the Templars, and no very earnest efforts were to be expected of him. He called a synod at Bologna in 1309, where some show was made of taking up the subject, but no results were reached, and when, in 1310, his vicar, Bonincontro, went to Ravenna with the papal bulls, he made no secret of his favor towards the accused. At length Rainaldo was forced to action, and issued a proclamation, November 25, 1310, reciting the papal commands to hold provincial councils for the examination and judgment of the Templars, in obedience to which he summoned one to assemble at Ravenna in January, 1311, calling upon the inquisitors to bring thither the evidence which they had obtained by the use of torture. The council was held and the matter discussed, but no conclusion was reached. Another was summoned to meet at Bologna on June 1, but was transferred to Ravenna and postponed till June 18. To this the bishops were ordered to bring all Templars of their dioceses under strict guard, the result of which was that on June 16, seven knights were produced before the council. They were sworn and interrogated *seriatim* on all the

articles as furnished by the pope, which they unanimously denied. The question was then put to the council whether they should be tortured, and it was answered in the negative, in spite of the opposition of two Dominican inquisitors present. It was decided that the case should not be referred to the pope, in view of the nearness of the Council of Vienne, but that the accused should be put upon their purgation. The next day, however, when the council met this action was reversed and there was a unanimous decision that the innocent should be acquitted and the guilty punished, reckoning among the innocent those who had confessed through fear of torture and had revoked, or who would have revoked but for fear of repetition of torture. As for the Order as a whole, the council recommended that it should be preserved if a majority of the members were innocent, and if the guilty were subjected to abjuration and punishment within the Order. In addition to the seven knights there were five brethren who were ordered to purge themselves by August 1, before Uberto, Bishop of Bologna, with seven conjurators; of these the purgations of two are extant, and doubtless all succeeded in performing the ceremony. It was no wonder that Clement was indignant at this reversal of all inquisitorial usage and ordered the burning of those who had thus relapsed—though the command was probably not obeyed, as Bishop Bini assures us that no Templars were burned in Italy. The council further, in appointing delegates to Vienne, instructed them that the Order should not be abolished unless it was found to be thoroughly corrupted. For Tuscany and Lombardy, Clement appointed as special inquisitors Giovanni, Archbishop of Pisa, Antonio, Bishop of Florence, and Pietro Giudici of Rome, a canon of Verona. These were instructed to hold the inquests, one upon the brethren individually and one upon the Order. They were troubled with no scruples as to the use of torture and, as we shall presently see, secured a certain amount of the kind of testimony desired. Venice kindly postponed the inevitable uprooting of the Order, and when it eventually took place there was no unnecessary hardship.*

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* Regest. Clement. PP. V. T. IV. p. 301. — Bini, pp. 420–1, 424, 427–8. — Raynald. ann. 1309, No. 3.—Raynouard, pp. 273–77.—Chron. Parmens. ann. 1309 (Muratori S. R. I. IX. 880).—Du Puy, pp. 57–8.—Rubei Hist. Ravennat. Ed.

Cyprus was the headquarters of the Order. There resided the marshal, Ayme d'Osiliers, who was its chief in the absence of the Grand Master, and there was the "Convent," or governing body. It was not until May, 1308, that the papal bull commanding the arrest reached the island, and there could be no pretence of a secret and sudden seizure, for the Templars were advised of what had occurred in France. They had many enemies, for they had taken an active part in the turbulent politics of the time, and it had been by their aid that the regent, Amaury of Tyre, had been placed in power. He hastened to obey the papal commands, but with many misgivings, for the Templars at first assumed an attitude of defence. Resistance, however, was hopeless, and in a few weeks they submitted; their property was sequestrated and they were kept in honorable confinement, without being deprived of the sacraments. This continued for two years, until, in April, 1310, the Abbot of Alet and the Archpriest Tommaso of Rieti came as papal inquisitors to inquire against them individually and the Order in general, under the guidance of the Bishops of Limisso and Famagosta. The examination commenced May 1 and continued until June 5, when it came abruptly to an end, in consequence, doubtless, of the excitement caused by the murder of the Regent Amaury. All the Templars on the island, seventy-five in number, together with fifty-six other witnesses, were duly interrogated upon the long list of articles of accusation. That the Templars were unanimous in denying the charges and in asserting the purity of the Order shows that torture cannot have been employed. More convincing as to their innocence is the evidence of the other witnesses, consisting of ecclesiastics of all ranks, nobles, and burghers, many of them political enemies, who yet rendered testimony emphatically favorable. As some of them said, they knew nothing but good of the Order. All dwelt upon its liberal charities, and many described the fervor of the zeal with which the Templars discharged their religious duties. A few alluded to the popular suspicions aroused by the secrecy observed in the holding of chapters and the admission of neophytes; the Dominican Prior of Nicosia spoke

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1589, pp. 517, 521, 522, 524, 525, 526.—Campi, Dell' Hist. Eccles. di Piacenza, P. III. p. 41.—Barbarano dei Mironi Hist. Eccles. di Vicenza, II. 157-8.—Anton, Versuch einer Geschichte der Tempelherrenordens, Leipzig, 1779, p. 139.

of the reports brought from France by his brethren after the arrest, and Simon de Sarezariis, Prior of the Hospitallers, said that he had had similar intelligence sent to him by his correspondents, but the evidence is unquestionable that in Cyprus, where they were best known, among friends and foes, and especially among those who had been in intimate relations with the Templars for long periods, there was general sympathy for the Order, and that there had been no evil attributed to it until the papal bulls had so unqualifiedly asserted its guilt. All this, when sent to Clement, was naturally most unsatisfactory, and when the time approached for the Council of Vienne, he despatched urgent orders, in August, 1311, to have the Templars tortured so as to procure confessions. What was the result of this we have no means of knowing.*

In Aragon, Philippe's letter of October 16, 1307, to Jayme II. was accompanied with one from the Dominican, Fray Romeo de Bruguera, asserting that he had been present at the confession made by de Molay and others. Notwithstanding this, on November 17 Jayme, like Edward II., responded with warm praises of the Templars of the kingdom, whom he refused to arrest without absolute proof of guilt or orders from the pope. To the latter he wrote two days later for advice and instructions, and when, on December 1, he received Clement's bull of November 22, he could hesitate no longer. Ramon, Bishop of Valencia, and Ximenes de Luna, Bishop of Saragossa, who chanced to be with him, received orders to make in their respective dioceses diligent inquisition against the Templars, and Fray Juan Llotger, Inquisitor-general of Aragon, was instructed to extirpate the heresy. As resistance was anticipated, royal letters were issued December 3 for the immediate arrest of all members of the Order and the sequestration of their property, and the inquisitor published edicts summoning them before him in the Dominican Convent of Valencia, to answer for their faith, and prohibiting all local officials from rendering them assistance. Jayme also summoned a council of the prelates to meet January 6, 1308, to deliberate on the subject with the inquisitor. A number of arrests were effected; some of the brethren shaved and

* Schottmüller, I. 457-69, 494; II. 147-400.—Du Puy, pp. 63, 106-7.—Raynouard, p. 285.

threw off their mantles and succeeded in hiding themselves; some endeavored to escape by sea with a quantity of treasure, but adverse storms cast them back upon the coast and they were seized. The great body of the knights, however, threw themselves into their castles. Ramon Sa Guardia, Preceptor of Mas Deu in Roussillon, was acting as lieutenant of the Commander of Aragon, and fortified himself in Miravet, while others occupied the strongholds of Ascon, Montço, Cantavieja, Vilell, Castellot, and Chalamera. On January 20, 1308, they were summoned to appear before the Council of Tarragona, but they refused, and Jayme promised the prelates that he would use the whole forces of the kingdom for their subjugation. This proved no easy task. The temporal and spiritual lords promised assistance, except the Count of Urgel, the Viscount of Rocaberti, and the Bishop of Girona; but public sympathy was with the Templars. Many noble youths embraced their cause and joined them in their castles, while the people obeyed slackly the order to take up arms against them. The knights defended themselves bravely. Castellot surrendered in November, soon after which Sa Guardia, in Miravet, rejected the royal ultimatum that they should march out with their arms and betake themselves by twos and threes to places of residence, from which they were not to wander farther than two or three bowshots, receiving a liberal allowance for their support, while the king should ask the pope to order the bishops and inquisitors to expedite the process. In response to this Sa Guardia addressed Clement a manly appeal, pointing out the services rendered to religion by the Order; that many knights captured by the Saracens languished in prison for twenty or thirty years, when by abjuring they could at once regain their liberty and be richly rewarded—seventy of their brethren were at that moment enduring such a fate. They were ready to appear in judgment before the pope, or to maintain their faith against all accusers by arms, as was customary with knights, but they had no prelates or advocates to defend them, and it was the duty of the pope to do so. A month after this Miravet was forced to surrender at discretion, and in another month all the rest, except Montço and Chalamera, which held out until near July, 1309. Clement at once took measures to get possession of the Templar property, but Jayme refused to deliver it to the papal commissioners, alleging that most of it had been de-

rived from the crown, and that he had made heavy outlays on the sieges; the most that he would promise was that if the council should abolish the Order he would surrender the property, subject to the rights and claims of the crown. Clement seems to have sought a temporary compromise. In letters of January 5, 1309, he announces that the Templars of Aragon and Catalonia, like faithful sons of the Church, had written to him offering to surrender their persons and property to the Holy See, and to obey his commands in every way; he therefore sends his chaplain, Bertrand, Prior of Cessenon, to receive them and transfer them to the custody and care of the king, taking from him sealed letters that he holds them in the name of the Holy See. Whether Jayme assented to this arrangement as to the property does not appear, but he was not punctilious about the persons of the Templars, and on July 14 he issued orders to the viguiers to deliver them to the inquisitor and ordinaries when required. In 1310 Clement sent to Aragon, as elsewhere, special papal inquisitors to conduct the trials. They were met by the same difficulties as in England: in Aragon torture was not recognized by the law, and in 1325 we find the Cortes protesting against its use and against the inquisitorial process as infractions of the recognized liberties of the land, and the king admitting the protest and promising that such methods should not be employed except for counterfeiters, and then only in the case of strangers and vagabonds. Still the inquisitors did what they could. At their request the king, July 5, 1310, ordered his baillis to put the Templars in irons and to render their prison harsher. Then the Council of Tarragona interfered and asked that they be kept in safe but not afflictive custody, seeing that nothing had as yet proved their guilt, and their case was still undecided. In accordance with this, on October 20, the king ordered that they should be free in the castles where they were confined, giving their parole not to escape under pain of being reputed heretics. This was not the way to obtain the desired evidence, and Clement, March 18, 1311, ordered them to be tortured, and asked Jayme to lend his aid to it, seeing that the proceedings thus far had resulted only in "vehement suspicion." This cruel command was not at first obeyed. In May the Templars prayed the king to urge the Archbishop of Tarragona to have their case decided in the council then impending, and Jayme accordingly addressed the

archbishop to that effect, but nothing was done, and in August he ordered them to be again put in chains and harshly imprisoned. The papal representatives were evidently growing impatient, as the time set for the Council of Vienne was approaching, and the papal demands for adverse evidence remained unsatisfied. Finally, on the eve of the assembling of the council, the king yielded to the pope. September 29 he issued an order appointing Umbert de Capdepont, one of the royal judges, to assist at the judgment, when sentence should be rendered by the inquisitors, Pedro de Montclus and Juan Llotger, along with the Bishops of Lerida and Vich, who had been especially commissioned by the pope. We have no knowledge of the details of the investigation, but there is evidence that torture was unsparingly used, for there is a royal letter of December 3 ordering medicaments to be prepared for those of the Templars who might need them in consequence of sickness or torture. At last, in March, 1312, the Archbishop of Tarragona asked to have them brought before his provincial council, then about to assemble, and the king assented, but nothing was done, probably because the Council of Vienne was still in session; but after the dissolution of the Order had been proclaimed by Clement, and the fate of the members was relegated to the local councils, one was held, October 18, 1312, at Tarragona, which decided the question so long pending. The Templars were brought before it and rigorously examined. November 4 the sentence was publicly read, pronouncing an unqualified acquittal from all the errors, crimes, and impostures with which they were charged; they were declared beyond suspicion, and no one should dare to defame them. In view of the dissolution of the Order the council was somewhat puzzled to know what to do with them, but after prolonged debate it was determined that until the pope should otherwise decree they should reside in the dioceses in which their property lay, receiving proper support from their sequestrated lands. This decree was carried out, and when the property passed into the hands of the Hospitallers it was burdened with these charges. In 1319 a list of pensions thus payable by the Hospitallers would seem to show that the Templars were liberally provided for, and received what was due to them.*

* Allart, Bulletin de la Société des Pyrénées Orientales, 1867, Tom. XV. pp. 37-42, 67-9, 72, 76-8, 94-6.—Zurita, Añales de Aragon, Lib. v. c. 72, Lib. vi. c.

Jayme I. of Majorca was in no position to resist the pressure brought upon him by Philippe le Bel and Clement. His little kingdom consisted of the Balearic Isles, the counties of Roussillon and Cerdagne, the Seignory of Montpellier and a few other scattered possessions at the mercy of his powerful neighbor. He promptly therefore obeyed the papal bull of November 22, 1307, and by the end of the month the Templars in his dominions were all arrested. In Roussillon the only preceptory was that of Mas Deu, which was one of the strongholds of the land, and there the Templars were collected and confined to the number of twenty-five, including the Preceptor, Ramon Sa Guardia, the gallant defender of Miravet, who after his surrender was demanded by the King of Majorca and willingly joined his comrades. We know nothing of what took place on the islands beyond the fact of the arrest, but on the mainland we can follow with some exactness the course of events. Roussillon constituted the diocese of Elne, which was suffragan to the archbishopric of Narbonne. May 5, 1309, the archbishop sent to Ramon Costa, Bishop of Elne, the articles of accusation with the papal bull ordering an inquest. The good bishop seems to have been in no haste to comply, but, pleading illness, postponed the matter until January, 1310. Then, in obedience to the instructions, he summoned two Franciscans and two Dominicans, and with two of his cathedral canons he proceeded to interrogate the prisoners. It is evident that no torture was employed, for in their prolonged examinations they substantially agreed in asserting the purity and piety of the Order, and their chaplain offered in evidence their book of ritual for receptions in the vernacular, commencing, "*Quan alcum proom requer la compaya de la Mayso.*" With manly indignation they refused to believe that the Grand Master and chiefs of the Order had confessed to the truth of the charges, but if they had done so they had lied in their throats—or, as one of them phrased it, they were demons in human skin. With regard to the cord of chastity, an humble peasant serving brother explained not only that it was procured wherever they chose, but that if it chanced to break

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61.—Regest. Clement. PP. V. T. IV. pp. 435 sqq.—La Fuente, Hist. Eccles. de España, II. 369-70.—Ptol. Lucens. Hist. Eccles. Lib. xxiv. (Muratori S. R. I. XI. 1228).—Concil. Tarraconens. ann. 1312 (Aguirre, VI. 233-4).

while ploughing it was at once temporarily replaced with one made of reeds. The voluminous testimony was forwarded, with a simple certificate of its accuracy, by Bishop Ramon, August 31, 1310, which shows that he was in no haste to transmit it. It could have proved in no sense satisfactory, and there can be little doubt that the cruel orders of Clement, in March, 1311, to procure confessions by torture were duly obeyed, for Jean de Bourgogne, sacristan of Majorca, was appointed by Clement inquisitor for the Templars in Aragon, Navarre, and Majorca, and the same methods must unquestionably have been followed in all the kingdoms. After the Council of Vienne there ensued a rather curious controversy between the archbishops of Tarragona and Narbonne on the subject. The former, with the Bishop of Valencia, was papal custodian of Templar property in Aragon, Majorca, and Navarre. He seems thus to have imagined that he held jurisdiction over the Templars of Roussillon, for, October 15, 1313, he declared Ramon Sa Guardia absolved and innocent, and directed him to live with his brethren at Mas Deu, with a pension of three hundred and fifty livres, and the use of the gardens and orchards, the other Templars having pensions ranging from one hundred to thirty livres. Yet, in September, 1315, Bernard, Archbishop of Narbonne, ordered Bishop Ramon's successor Guillen to bring to the provincial council which he had summoned all the Templars imprisoned in his diocese, together with the documents relating to their trials, in order that their persons might be disposed of. King Jayme I. had died in 1311, but his son and successor, Sancho, intervened, saying that Clement had placed the Templars in his charge, and he would not surrender them without a papal order —the papacy at that time being vacant, with little prospect of an early election. He added that if they were to be punished it belonged to him to have them tried in his court, and to protect his jurisdiction he appealed to the future pope and council. This was effectual, and the Templars remained undisturbed. A statement of pensions paid in 1319 shows that of the twenty-five examined at Mas Deu in 1310 ten had died; the remainder, with one additional brother, were drawing pensions amounting in the aggregate to nine hundred and fifty livres a year. On the island of Majorca there were still nine whose total pensions were three hundred and sixty-two livres ten sols. In 1329 there were still nine Templars

receiving pensions allotted on the Preceptory of Mas Deu, though most of them had retired to their houses, for they do not appear to have been restricted as to their place of residence. By this time the indomitable Ramon Sa Guardia's name had disappeared. One by one they dropped off, until in 1350 there was but a single survivor, the knight Berenger deż Coll.*

In Castile no action seems to have been taken until the bull *Faciens misericordiam* of August 12, 1308, was sent to the prelates ordering them to act in conjunction with the Dominican, Eymeric de Navas, as inquisitor. Fernando IV. then ordered the Templars arrested, and their lands placed in the hands of the bishops until the fate of the Order should be determined. There was no alacrity, however, in pursuing the affair, for it was not until April 15, 1310, that Archbishop Gonzalo of Toledo cited the Master of Castile, Rodrigo Ybañez, and his brethren to appear before him at Toledo. For the province of Compostella, comprising Portugal, the archbishop held a council at Medina del Campo, where thirty Templars and three other witnesses were examined, all of whom testified in favor of the Order; a priest swore that he had heard the confessions of many Templars on their deathbeds, as well as others mortally wounded by the infidel, and all were orthodox. No better success attended inquests held by the Bishop of Lisbon at Medina Celi and Orense. The only judicial action of which we have notice was that of the Council of Salamanca for the province of Compostella, where the Templars were unanimously acquitted, and the cruel orders to torture them issued the next year by Clement seem to have been disregarded. After the Order was dissolved the Templars for the most part continued to lead exemplary lives. Many retired to the mountains and ended their days as anchorites, and after death their bodies remained incorruptible, in testimony of the saintliness of their martyrdom.†

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* Allart, op. cit. pp. 34, 42, 66, 69, 72-4, 79, 81-4, 86, 93-8, 105.—Procès, II. 424-515.—Vaissette, IV. 153.

I have met with no details as to the treatment of the Templars of Navarre; but as Louis Hutin, son of Philippe le Bel, succeeded to that kingdom in 1307, of course the French methods prevailed there, and the papal Inquisitor, Jean de Bourgogne, had full opportunity to procure testimony in what manner was most effective.

† Regest. Clement. PP. V. T. III. pp. 289, 299.— Llorente, Ch. III. Art. 2, No.

Portugal belonged ecclesiastically to the province of Compostella, and the Bishop of Lisbon, commissioned to investigate the Order, found no ground for the charges. The fate of the Templars there was exceptionally fortunate, for King Diniz, grateful for their services in his wars with the Saracens, founded a new Order, that of Jesus Christ, or de Avis, and procured its approval in 1318 from John XXII. To this safe refuge the Templars and their lands were transferred, the commander and many of the preceptors retaining their rank, and the new Order was thus merely a continuation of the old.*

The period finally set for the Council of Vienne was approaching, and thus far Clement had failed to procure any evidence of weight against the Templars beyond the boundaries of France, where bishop and inquisitor had been the tools of Philippe's remorseless energy. Clement may at the first have been Philippe's unwilling accomplice, but if so he had long since gone too far to retract. Whether, as believed by many of his contemporaries, he was sharing the spoils, is of little moment. He had committed himself personally to all Europe, in the bull of November 22, 1307, to the assertion of the Templars' guilt, and had repeated this emphatically in his subsequent utterances, with details admitting of no retraction or explanation; he, as well as they, was on trial before Christendom, and their acquittal by the council would be his conviction. He was, therefore, no judge, but an antagonist, forced by the instinct of self-preservation to destroy them, no matter through what unscrupulous methods. As the council drew near his anxiety increased, and he cast around for means to secure the testimony which should justify him by proving the heresy of the Order. We have seen how he urged Edward II. to introduce torture into the hitherto unpolluted courts of England, and how he succeeded in having the brethren of Aragon tortured in violation of the liberties of the land. These were but specimens of a series of bulls, perhaps the most disgraceful that ever proceeded from a vicegerent of God. From Cyprus to Portugal, prince and prel-

6, 7.—Mariana, Lib. xv. c. 10 (Ed. 1789, p. 390, note).—Raynouard, pp. 128, 265-66.—Aguirre, VI. 230.—La Fuente, Hist. Eccles. II. 368-70.

* Raynouard, pp. 204, 267.—Raynald. ann. 1317, No. 40.—Zurita, Lib. VI. c. 26.—La Fuente, II. 372.

ate were ordered to obtain confessions by torture; in some places, he said, it had been negligently and imprudently omitted, and the omission must be repaired. The canons required that in such cases those who refused to confess must be submitted to a "religious torturer" and the truth thus be forced from them. So earnest was he that he wrote to his legate in Rhodes to go to Cyprus and personally see that it was done. The result in such cases was to be sent to him as speedily as possible.*

How much of human agony these inhuman orders caused can never be known. It was not merely that those who had hitherto been spared the rack were now subjected to it, but, in the eagerness to supplement the evidence on hand, those who had already undergone torture were brought from their dungeons and again subjected to it with enhanced severity, in order to obtain from them still more extravagant admissions of guilt. Thus at Florence thirteen Templars had been duly inquisitioned in 1310, and some of them had confessed. Under the fresh papal urgency the inquisitors again assembled in September, 1311, and put them through a fresh series of examinations. Six of them yielded testimony in every way satisfactory—the adoration of idols and cats and the rest. Seven of them, however, were obstinate, and testified to the innocence of the Order. The inquisitors showed their appreciation of what Clement wanted by sending him only the six confessions. The other seven brethren, they reported, had been duly tortured, but had stated nothing that was worth the sending, as they were serving brethren or newly initiated members who, presumably, were ignorant—although elsewhere the most damaging evidence had been obtained from such brethren and utilized. Clement evidently knew his man when he selected the Archbishop of Pisa as the head of this inquisition. We happen to have another illustration of the results of Clement's urgency in preparing for the council. In the Château d'Alais the Bishop of Nîmes held thirty-three Templars who had already been examined and confessions extorted from some of them, which had mostly been retracted. Under Clement's orders for fresh tortures twenty-nine survivors of these (four having meanwhile died in prison) were brought out in August, 1311. Some of them had

* Raynald. ann. 1311, No. 53.—Raynouard, pp. 166-7.—Schottmüller, I. 395.

already been tortured three years before, but now all were tortured again, with the result of obtaining the kind of testimony required, including demon-worship.*

In spite of all these precautions it required the most arbitrary use of both papal and kingly influence to force from the council a reluctant assent to what was evidently regarded by Christendom as the foulest injustice. It is, perhaps, significant that the acts of the council vanished from the papal archives, and we are left to gather its proceedings from such fragmentary allusions as occur in contemporary chroniclers and from the papal bulls which record its results. Good orthodox Catholics have even denied to it the right to be considered Œcumenic, in spite of the presence of more than three hundred bishops from all the states of Europe, the presidency of a pope, and the book of canon laws which was adopted in it, no one knows how.†

The first question to be settled was Clement's demand that the Order should be condemned without a hearing. He had, as we have seen, solemnly summoned it to appear, through its chiefs and procurators, before the council, and had ordered the Cardinal of

* Bini, p. 501.—Raynouard, pp. 233-5, 303.—Vaissette, IV. 140-1.

† Hefele, Concilieugeschichte I. 66.—Franz Ehrle, Archiv f. Litt.- u. Kirchengeschichte, 1886, p. 353.—The apologetic tone in which it was felt necessary to speak of the acts of the council with regard to the Templars is well illustrated by a Vatican MS. quoted by Raynaldus, ann. 1311, No. 54.

Only fragments have reached us of the vast accumulation of documents respecting the case of the Templars. In the migrations of Clement V. doubtless some were lost (Franz Ehrle, Archiv für Litt.- u. Kirchengesch. 1885, p. 7); others in the Schism, when Benedict XIII. carried a portion of the archives to Peniscola (Schottmüller, I. 705), and others again in the transport of the papers of the curia from Avignon to Rome. When, in 1810, Napoleon ordered the papal archives transferred to Paris, where they remained until 1815, the first care of General Radet, the French Inspector-general of Rome, was to secure those concerning the trials of the Templars and of Galileo (Regest. Clement. PP. V., Romæ, 1885, T. I. Proleg. p. ccxxix.). During their stay in Paris Raynouard utilized them in the work so often quoted above, but even then only a few seem to have been accessible, and of these a portion are now not to be found in the Vatican MSS., although Schottmüller, the most recent investigator, expresses a hope that the missing ones may yet be traced (op. cit. I. 713). The number of boxes sent to Paris amounted to 3239, and the papal archivists complained that many documents were not restored. The French authorities declared that the papal agents to whom they had been delivered sold immense quantities to grocers (Reg. Clem. V. Proleg. pp. ccxciii.-ccxcviii.).

Palestrina, whom he had appointed their custodian, to present them for that purpose; he had organized a commission expressly to listen to those who were willing to defend it, and to arrange for them to nominate procurators, and he had uttered no protest when Philippe's savage violence had put an end to the attempt. Now the council had met and the chiefs of the Order were not brought before it. The subject was too delicate a one to be trusted to the body of the council, and a picked convocation was formed of prelates selected from the nations represented—Spain, France, Italy, Germany, Hungary, England, Ireland, and Scotland—to discuss the matter with the pope and cardinals. On a day in November, while this body was listening to the reports sent in by the inquisitors, suddenly there appeared before them seven Templars offering to defend the Order in the name, they said, of fifteen hundred or two thousand brethren, refugees who were wandering in the mountains of the Lyonnais. In place of hearing them, Clement promptly cast them into prison, and when, a few days later, two more, undeterred by the fate of their predecessors, made a similar attempt, they were likewise incarcerated. Clement's principal emotion was fear for his own life from the desperation of the outcasts, leading him to take extra precautions and to advise Philippe to do the same. This was not calculated to make the prelates feel less keenly the shame of what they were asked to do, for which the only reason alleged was the injury to the Holy Land arising from the delay to be anticipated from discussion; and when the matter came to a vote only one Italian bishop and three Frenchmen (the Archbishops of Sens, Reims, and Rouen, who had burned the relapsed Templars) were found to record themselves in favor of the infamy of condemning the Order unheard. They might well hesitate. In Germany, Italy, and Spain provincial councils had solemnly declared that they could find no evil in the Order or its members. In England the Templars had only confessed themselves defamed of heresy. In France alone had there been any general confession of guilt. Even if individuals were guilty, they had been condemned to appropriate penance, and there was no warrant for destroying without a hearing so noble a member of the Church Militant as the great Order of the Temple.*

* Bull. *Vox in excelso* (Van Os, pp. 72–4).—Du Puy, pp. 177–8.—Ptol. Lucens.

Clement vainly used every effort to win over the Council. The most that he could do was to prolong the discussion until the middle of February, 1312, when Philippe, who had called a meeting of the Three Estates at Lyons, hard by Vienne, came thence with Charles de Valois, his three sons and a following numerous enough to impress the prelates with his power. A royal order of March 14 to the Seneschal of Toulouse to make a special levy to defray the expenses of the delegates sent by that city successively to Tours, Poitiers, Lyons, and Vienne, "on the business of the faith or of the Templars," shows how the policy, begun at Tours, of overawing the Church by pressure from the laity of the kingdom was unscrupulously pursued to the end. Active discussions followed. Philippe had dexterously brought forward again the question of the condemnation of Boniface VIII. for heresy, which he had promised, a year previous, to abandon. It was an impossibility to grant this without impugning the legitimacy of Boniface's cardinals and of Clement's election, but it served the purpose of affording an apparent concession. The combined pressure brought to bear upon the council became too strong for further resistance, and the Gordian knot was resolutely severed. In a secret consistory of cardinals and prelates held March 22, Clement presented the bull *Vox in excelso*, in which he admitted that the evidence did not canonically justify the definitive condemnation of the Order, but he argued that it had been so scandalized that no honorable men hereafter could enter it, that delay would lead to the dilapidation of its possessions with consequent damage to the Holy Land, and that, therefore, its provisional abolition by the Holy See was expedient. April 3 the second session of the Council was held, in which the bull was published, and Clement apologized for it by

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Hist. Eccles. Lib. XXIV. (Muratori S. R. I. XI. 1236).—Raynouard, p. 187.—Cf. Raynald. ann. 1311, No. 55.

If Schottmüller's assumption be correct as to the "Deminutio laboris examinantium processus contra ordinem Templi in Anglia," printed by him from a Vatican MS. (op cit. II. 73 sqq.)—that it was prepared to be laid before the commission of the Council of Vienne, it shows the unscrupulous manner in which the evidence was garbled for the purpose of misleading those who were to sit in judgment. All the favorable testimony is suppressed and the wildest gossip of women and monks is seriously presented as though it were incontrovertible.

explaining that it was necessary to propitiate his dear son, the King of France. If the popular belief was that the sentence was rendered by Philippe's command, it was not without justification. Thus, after all this cruelty and labor, the Order was abolished without being convicted. There can be little doubt that the council acquiesced willingly in this solution of the question. The individual members were thus relieved of responsibility, and they felt that the Order had been so foully dealt with that policy required injustice to be carried out to the bitter end.*

The next point to be determined was the disposition of the Templar property, which gave rise to a long and somewhat bitter debate. Various plans were proposed, but finally Clement suc-

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* Jo. Hocsemii Gest. Episcc. Leodiens. (Chapeaville, II. 345).—Baudouin, Lettres inédites de Philippe le Bel, p. 179.—Chron. Cornel. Zantfliet ann. 1307 (Martene Ampl. Coll. V. 154).—Bull. *Vox in excelso* (Van Os, pp. 75–77).—Bern. Guidon. Flor. Chron. (Bouquet, XXI. 721).—Wilcke, II. 307.—Gürtleri Hist. Templarior. Amstel. 1703, p. 365.—Vertot, Hist. des Chev. de Malthe, Ed. 1755, Tom II. p. 136.—Contin. Guill. Nangiac. ann. 1311–12.—Martin. Polon. Contin. (Eccard. I. 1438).—Trithem. Chron. Hirsaug. ann. 1307.

When, in 1773, Clement XIV. desired to abolish the Order of Jesuits by an arbitrary exercise of papal power, he did not fail to find a precedent in the suppression of the Templars by Clement V.—as he says in his bull of July 22, 1773, "Etiamsi concilium generale Viennense, cui negotium examinandum commiserat, a formali et definitiva sententia ferenda censuerit se abstinere."—Bullar. Roman. Contin. Prati, 1847, V. 620.

The wits of the day did not allow the affair to pass unimproved. Bernard Gui cites as current at the time the Leonine verse, "Res est exempli destructa superbia Templi." Hocsemius quotes for us a chronogram by P. de Awans, possibly alluding to the treasure which Philippe gained—

"Excidium Templi nimia pinguedine rempli
Ad LILIVM duo C consocianda dooe."

To minds of other temper there were not lacking portents to prove the anger of Heaven, whether at the crimes of the Order or at its destruction—eclipses of sun and moon, parahelia, paraselenæ, fires darting from earth to heaven, thunder in clear sky. Near Padua a mare dropped a foal with nine feet; flocks of birds of an unknown species were seen in Lombardy; throughout the Paduan territory a rainy winter was succeeded by a dry summer with hail-storms, so that the harvests were a failure. No Etruscan haruspex or Roman augur could wish for clearer omens: it reads like a page of Livy.—Albertini Mussati Hist. August. Rubr. x. xi. (Muratori S. R. I. X. 877–9).—Cf. Ptol. Lucens. Hist. Eccles. Lib. xxiv. (Ib. XI. 1233); Fr. Jordan. Chron. ann. 1314 (Muratori Antiq. XI. 789).

ceeded in procuring its transfer to the Hospitallers. It may not be true that they bribed him heavily to accomplish this, but such a belief prevailed extensively at the time, and sufficiently illustrates the estimate entertained of him by his contemporaries. May 2 the bull *Ad providam* announced that, although in view of the proceedings thus far had the Order could not legally be suppressed, it was provisionally and irrevocably abolished by apostolic ordinance; it was placed under perpetual inhibition, and any one presuming to enter it or to assume its habit incurred *ipso facto* excommunication. All the property of the Order was assumed by the Holy See, and was transferred to the Hospital of St. John of Jerusalem, saving in the kingdoms of Castile, Aragon, Majorca, and Portugal. As early as August, 1310, Jayme of Aragon had urged his brother monarchs to unite with him in defending their claims before the papal court; and though he disregarded Clement's invitation to appear in person before the council to state his reasons, the three kings took care to have their views energetically represented. Elsewhere, all who occupied and detained such property, no matter what their rank or station, were required, under pain of excommunication, to hand it over to the Hospitallers within a month after summons. This bull was sent to all princes and prelates, and the latter were instructed to enforce the surrender of the property by a vigorous use of excommunication and interdict.*

The burning question as to the property being thus settled, the less material one as to the persons of the Templars was shuffled off by referring them to their provincial councils for judgment, with the exception of the chiefs of the Order still reserved to the Holy See. All fugitives were cited to appear within a year before their bishops for examination and sentence; failure to do so incurred *ipso facto* excommunication, which if endured for another

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* Contin. Guill. Nangiac. ann. 1312.—Raynald. ann. 1312, No. 5.—Hocsemii Gest. Episcopp. Leod. (Chapeaville, II. 346).—Chron. Fr. Pipini c. 49 (Muratori S. R. I. IX. 750).—Chron. Astens. c. 27 (Ib. XI. 194).—Chron. Coruel. Zantfliet ann. 1310 (Martene Ampl. Coll. V. 160).—Walsingham (D'Argentré I. i. 280).—Raynouard, pp. 197-8.—Bull. *Ad providam* (Rymer, III. 323.—Mag. Bull. Rom. IX. 149.—Harduin. VII. 1341-8).—Bull. *Nuper in generali* (Rymer III. 326. Mag. Bull. Rom. IX. 150).—Zurita, Lib. v. c. 99.—Allart, op. cit. pp. 71-3.—Schmidt, Päbstliche Urkunden, p. 81.

year became condemnation for heresy. General instructions were given that the impenitent and relapsed were to be visited with the utmost penalties of the law. Those who, even under torture, denied all knowledge of error afforded a problem insoluble to the wisdom of the council and were referred to the provincial councils to be treated as justice and the equity of the canons required: to those who confessed, the rigor of justice should be tempered with abundant mercy. They were to be placed in the former houses of the Order or in monasteries, taking care that no great number should be herded together, and be decently maintained out of the property of the Order. Interest in the subject, however, passed away with the alienation of the property, and few provincial councils seem to have been held save those of Tarragona and Narbonne already mentioned. Many Templars rotted to death in their dungeons; some of the so-called "relapsed" were burned; many wandered over Europe as homeless vagabonds; others maintained themselves as best they might by manual labor. In Naples, curiously enough, John XXII. in 1318 ordered them to be supported by the Dominicans and Franciscans. When some attempted to marry, John XXII. pronounced that their vows were still binding and their marriages void, thus admitting that their reception had been regular and not vitiated. He likewise assumed their orthodoxy when he permitted them to enter other Orders. A certain number of them did so, especially in Germany, where their fate was less bitter than elsewhere, and where the Hospitallers welcomed them by formal resolution of the Conference of Frankfurt-am-Mayn in 1317. The last Preceptor of Brandenburg, Frederic of Alvensleben, was received into the Hospital with the same preferment. In fact, popular sympathy in Germany seems to have led to the assignment to them of revenues of which the Hospitallers complained as an insupportable burden, and in 1318 John XXII. ordered that they should not be so provided for as to enable them to lay up money and live luxuriously, but should have merely a living and garments suited to spiritual persons.*

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* Bern. Guidon. Flor. Chron. (Bouquet, XXI. 722).—Godefroy de Paris, v. 6028-9.—Ferreti Vicentin. Hist. (Muratori S. R. I. IX. 1017).—Le Roulx, Documents, etc., p. 51.—Havemann, Geschichte des Ausgangs, p. 290.—Fr. Pipini Chron. c. 49 (Muratori IX. 750).—Joann. de S. Victor. (Bouquet, XXI. 658).—Vaissette,

There remained to be disposed of de Molay and the other chiefs reserved by Clement for his personal judgment—a reservation which, as we have seen, by inspiring them with selfish hopes, led them to abandon their brethren. When this purpose had been accomplished Clement for a while seemed to forget them in their drear captivity. It was not till December 22, 1313, that he appointed a commission of three cardinals, Arnaud of S. Sabina, Nicholas of S. Eusebio, and Arnaldo of S. Prisca, to investigate the proceedings against them and to absolve or condemn, or to inflict penance proportionate to their offences, and to assign to them on the property of the Order such pensions as were fitting. The cardinals dallied with their duty until March 19, 1314, when, on a scaffold in front of Nôtre Dame, de Molay, Geoffroi de Charney, Master of Normandy, Hugues de Peraud, Visitor of France, and Godefroi de Gonneville, Master of Aquitaine, were brought forth from the jail in which for nearly seven years they had lain, to receive the sentence agreed upon by the cardinals, in conjunction with the Archbishop of Sens and some other prelates whom they had called in. Considering the offences which the culprits had confessed and confirmed, the penance imposed was in accordance with rule—that of perpetual imprisonment. The affair was supposed to be concluded when, to the dismay of the prelates and wonderment of the assembled crowd, de Molay and Geoffroi de Charney arose. They had been guilty, they said, not of the crimes imputed to them, but of basely betraying their Order to save their own lives. It was pure and holy; the charges were fictitious and the confessions false. Hastily the cardinals delivered them to the Prévôt of Paris, and retired to deliberate on this unexpected contingency, but they were saved all trouble. When the news was carried to Philippe he was furious. A short consultation with his council only was required. The canons pronounced that a relapsed heretic was to be burned without a hearing; the facts were notorious and no formal judgment by the papal commission need be waited for. That same day, by sunset, a pile was erected on a small island in the Seine, the Isle des Juifs, near the palace garden. There de Molay and de Charney were slowly burned to death, refusing all

IV. 141.—Stemler, Contingent zur Geschichte der Templer, pp. 20–1.—Raynouard, pp. 213–4, 233–5.—Wilcke, II. 236, 240.—Anton, Versuch, p. 142.

offers of pardon for retraction, and bearing their torment with a composure which won for them the reputation of martyrs among the people, who reverently collected their ashes as relics. It remained for a modern apologist of the Church to declare that their intrepid self-sacrifice proved them to be champions of the devil. In their death they triumphed over their persecutor and atoned for the pusillanimity with which they had abandoned those committed to their guidance. Hugues de Peraud and the Master of Aquitaine lacked courage to imitate them, accepted their penance, and perished miserably in their dungeons. Raimbaud de Caron, the Preceptor of Cyprus, had doubtless been already released by death.*

The fact that in little more than a month Clement died in torment of the loathsome disease known as lupus, and that in eight months Philippe, at the early age of forty-six, perished by an accident while hunting, necessarily gave rise to the legend that de Molay had cited them before the tribunal of God. Such stories were rife among the people, whose sense of justice had been scandalized by the whole affair. Even in distant Germany Philippe's death was spoken of as a retribution for his destruction of the Templars, and Clement was described as shedding tears of remorse on his death-bed for three great crimes, the poisoning of Henry VI. and the ruin of the Templars and Beguines. An Italian contemporary, papalist in his leanings, apologizes for introducing a story of a wandering outcast Templar carried from Naples to the presence of Clement, bearding him to his face, condemned to the stake, and from the flames summoning him and Philippe to the judgment-seat of God within the year, which was marvellously fulfilled.

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* Raynald. ann. 1313, No. 39.—Raynouard, pp. 205-10.—Contin. Guill. Nangiac. ann. 1313.—Joann. de S. Victor. (Bouquet, XXI. 658).—Chron. Anon. (Bouquet, XXI. 143).—Godefroy de Paris v. 6033-6129.—Villani Chron. VIII. 92.—Chron. Cornel. Zantfliet ann. 1310 (Martene Ampl. Coll. V. 160).—Trithem. Chron. Hirsaug. ann. 1307.—Pauli Æmylii de Reb. Gest. Franc. Ed. 1569, p. 421.—Van Os, p. 111.

In his haste Philippe did not stop to inquire as to his rights over the Isle des Juifs. It happened that the monks of St. Germain des Près claimed *haute et basse justice* there, and they promptly complained that they were wronged by the execution, whereupon Philippe issued letters declaring that it should work no prejudice to them (Olim, II. 599).

These tales show how the popular heart was stirred and how the popular sympathies were directed.*

In fact, outside of France, where, for obvious reasons, contemporary opinion was cautious in expression, the downfall of the Templars was very largely attributed to the remorseless cupidity of Philippe and Clement. Even in France public sentiment inclined in their favor. Godefroi de Paris evidently goes as far as he dares when he says:

"Dyversement de ce l'en parle,
Et ou monde en est grant bataille—
—L'en puet bien décevoir l'yglise
Mès l'en ne puet en nule guise
Dieu décevoir. Je n'en dis plus:
Qui voudra dira le seurplus."

It required courage animated by a lofty sense of duty when, at the height of the persecution, the Dominican, Pierre de la Palu, one of the foremost theologians of the day, voluntarily appeared before the papal commission in Paris to say that he had been present at many examinations where some of the accused confessed the charges and others denied them, and it appeared to him that the

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* Pauli Langii Chron. Citicens. ann. 1314 (Pistorii I. 1201).—Chron. Sampetrini Erfurtens. ann. 1315 (Menken III. 325).—Naucleri Chron. ann. 1306.—Ferreti Vicentin. Hist. (Muratori S. R. I. IX. 1018).

Clement's reputation was such that this was not the only legend of the kind about his death. While yet Archbishop of Bordeaux, he had a bitter quarrel with Walter of Bruges, a holy Franciscan whom Nicholas III. had forced to accept the episcopate of Poitiers. On his elevation to the papacy he gratified his grudge by deposing Walter and ordering him to a convent. Walter made no complaint, but on his death-bed he appealed to the judgment of God, and died with a paper in his hand in which he cited the papal oppressor before the divine tribunal on a certain day. His grip on this could not be loosened, and he was buried with it. The next year Clement chanced to pass through the place; he had the tomb opened, found the body uncorrupted, and ordered the paper to be given to him. It terrified him greatly, and at the time specified he was obliged to obey the summons.—Wadding. ann. 1279, No. 13.—Chron. Glassberger ann. 1307.

Guillaume de Nogaret, who was Philippe's principal instrument, was the subject of a similar story. A Templar on his way to the stake saw him and cited him to appear within eight days, and on the eighth day he died.—Chron. Astens. c. 27 (Muratori S. R. I. XI. 194).

denials were worthy of confidence rather than the confessions.* As time wore on the conviction as to their innocence strengthened. Boccaccio took their side. St. Antonino of Florence, whose historical labors largely influenced opinion in the fifteenth century, asserted that their downfall was attributable to the craving for their wealth, and popular writers in general adopted the same view. Even Raynaldus hesitates and balances arguments on either side, and Campi assures us that in Italy, in the seventeenth century, they were regarded by many as saints and martyrs. At length, about the middle of the seventeenth century, the learned Du Puy undertook to rehabilitate the memory of Philippe le Bel in a work of which the array of documentary evidence renders it indispensable to the student. Gürtler, who followed him with a history of the Templars, is evidently unable to make up his mind. Since then

* Godefroi de Paris, v. 6131–45. Cf. 3876–81, 3951–2.—Procès des Templiers, II. 195.

Some of the contemporaries outside of France who attribute the affair to the greed of Philippe and Clement are—Matt. Neoburg. (Albert Argentinens.) Chron. ann. 1346 (Urstisii II. 137).—Sächsische Weltchronik, erste bairische Fortsetzung, ann. 1312 (Mon. Germ. II. 334).—Stalwegii Chron. ann. 1305 (Leibnit. III. 274).—Bothonis Chron. ann. 1311 (Leibnit. III. 374).—Chron. Comitum Schawenburg (Meibom. I. 499).—Jo. Hocsemii Gest. Episcc. Leodiens. (Chapeaville, II. 345–6).—Chron. Astens. c. 27 (Muratori S. R. I. XI. 192–4).—Istoric Pistolesi (Ib. XI. 518).—Villani Chron. VIII. 92.

Authorities who assume the guilt of the Templars are—Ferreti Vicentini Hist. (Muratori S. R. I. IX. 1017–18).—Chron. Parmens. ann. 1309 (Ib. IX. 880).—Albertin. Mussat. Hist. August. Rubr. x. (Ib. X. 377).—Chron. Guillel. Scoti (Bouquet, XXI. 205).—Hermanni Corneri Chron. ann. 1309 (Eccard. II. 971–2). The old German word Tempelhaus, signifying house of prostitution, conveys the popular sense of the license of the Order. (Trithem. Chron. Hirsaug. ann. 1307).

Henri Martin assumes that the traditions of the north of France are adverse to the Templars, and that those of the south are favorable. He instances a Breton ballad in which the "Red Monks," or Templars, are represented as ferocious debauchees who carry off young women and then destroy them with the fruits of guilty intercourse. On the other hand, at Gavarnie (Bigorre), there are seven heads which are venerated as those of martyred Templars, and the popular belief is that on the night of the anniversary of the abolition of the Order a figure, armed cap-a-pie and bearing the white mantle with a red cross, appears in the cemetery and thrice cries out, "Who will defend the holy temple; who will liberate the sepulchre of the Lord?" when the seven heads answer thrice, "No one, no one! The Temple is destroyed!"—Histoire de France, T. IV. pp. 496–7 (Éd. 1855).

the question has been argued pro and con with a vehemence which promises to leave it one of the unsettled problems of history.*

Be this as it may, Philippe obtained the object of his desires. After 1307 his financial embarrassments visibly decreased. There was not only the release from the obligation of the five hundred thousand livres which he had borrowed of the Order, but its vast accumulations of treasure and of valuables of all kinds fell into his hands and were never accounted for. He collected all the debts due to it, and his successors were still busy at that work as late as 1322. The extensive banking business which the Templars had established between the East and the West doubtless rendered this feature of the confiscation exceedingly profitable, and it is safe to assume that Philippe enforced the rule that debts due by convicted heretics were not to be paid. Despite his pretence of surrendering the landed estates to the pope, he retained possession of them till his death and enjoyed their revenues. Even those in Guyenne, belonging to the English crown, he collected in spite of the protests of Edward, and he claimed the Templar castles in the English territories until Clement prevailed upon him to withdraw. The great Paris Temple, half palace, half fortress, one of the architectural wonders of the age, was retained with a grip which nothing but death could loosen. After the property had been adjudged to the Hospitallers, in May, 1312, by the Council of Vienne with Philippe's concurrence, and he had formally approved of it in August, Clement addressed him in December several letters asking his assistance in recovering what had been seized by individuals—assistance which doubtless was freely promised; but in June, 1313, we find Clement remonstrating with him over his refusal to permit Albert de Châteauneuf, Grand Preceptor of the Hospital, to administer the property either of his own Order or that of the Temple in France. In 1314 the General Chapter of the Hospital gave unlimited authority to Leonardo and Francesco de Tibertis to take possession of all the Temple property promised to the Order, and in April an *arrêt* of Parlement recites that it had been given to the Hospital at Philippe's special request, and that he had invested Leonardo de Tibertis with it; but there was

* Raynald. ann. 1307, No. 12.—D'Argentré I. i. 281.—Campi, Dell' Hist. Eccles. di Piacenza, P. III. p. 43, Piacenza, 1651.—Feyjoo, Cartas I. xxviii.

a reservation that it was liable for the expenses of the imprisoned Templars and for the costs incurred by the king in pushing the trials. This was a claim elastic both in amount and in the time required for settlement. Had Philippe's life been prolonged it is probable that no settlement would have been made. As it was, the Hospitallers at last, in 1317, were glad to close the affair by abandoning to Philippe le Long all claim on the income of the landed estates which the crown had held for ten years, with an arrangement as to the movables which virtually left them in the king's hands. They also assumed to pay the expenses of the imprisoned Templars, and this exposed them to every species of exaction and pillage on the part of the royal officials.*

In fact, it is the general testimony that the Hospitallers were rather impoverished than enriched by the splendid gift. There had been a universal Saturnalia of plunder. Every one, king, noble, and prelate, who could lay hands on a part of the defenceless possessions had done so, and to reclaim it required large payments either to the holder or to his suzerain. In 1286 the Margrave Otto of Brandenburg had entered the Order of the Temple and had enriched it with extensive domains. These the Margrave Waldemar seized, and did not surrender till 1322, nor was the transfer confirmed till 1350, when the Hospital was obliged to pay five hundred silver marks. In Bohemia many nobles seized and retained Templar property; the chivalrous King John is said to have kept more than twenty castles, and Templars themselves managed to hold some and bequeath them to their heirs. Religious orders were not behindhand in securing what they could out of the spoils — Dominicans, Carthusians, Augustinians, Celestinians, all are named as participators. Even the pious Robert of Naples had to be reminded by Clement that he had incurred excommunication because he had not surrendered the Templar property in Provence. In fact, he had secretly sent orders to his seneschal not to

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* Ferreti Vicentini, loc. cit.—Raynald. ann. 1307, No. 13.—Havemann, p. 334.—Wilcke, II. 327, 329–30.—Raynouard, pp. 25–6.—Vaissette, IV. 141.—Du Puy, pp. 75, 78, 88, 125–31, 216–17.—Prutz, p. 16.—Olim, III. 580–2.

Even as late as 1337, in the accounts of the Sénéchaussée of Toulouse there is a place reserved for collections from the Templar property, although the returns in that year were nil.—Vaissette, Éd. Privat, X. Pr. 785.

For the banking business of the Templars, see Schottmüller, I. 64.

deliver it to the Archbishops of Arles and Embrun, the commissioners appointed by the pope, and before he was finally obliged to make it over he realized what he could from it. Perhaps the Hospital fared better in Cyprus than elsewhere, for when the papal nuncio, Peter, Bishop of Rhodes, published the bull, November 7, 1313, the Templar possessions seem to have been made over to it without contest. In England, even the weakness of Edward II. made a feeble attempt to keep the property. Clement had ordered him, February 25, 1309, to make it over to the papal commissioners designated for the purpose, but he seems to have paid no attention to the command. After the Council of Vienne we find him, August 12, 1312, expressing to the Prior of the Hospital his surprise that he is endeavoring under the color of papal letters to obtain possession of it, to the manifest prejudice of the dignity of the crown. Much of it had been farmed out and alienated to Edward's worthless favorites, and he resisted its surrender as long as he dared. When forced to succumb he did so in a manner as self-abasing as possible, by executing, November 24, 1313, a notarial instrument to the effect that he protested against it, and only yielded out of fear of the dangers to him and his kingdom to be apprehended from a refusal. It may be doubted whether his orders were obeyed that it should be burdened with the payment of the allowances to the surviving Templars. He succeeded, however, in getting a hundred pounds from the Hospitallers for the London Temple; and in 1317 John XXII. was obliged to intervene with an order for the restitution of lands still detained by those who had succeeded in occupying them.*

* Contin. Guillel. Nangiac. ann. 1312.—Villani Chron. VIII. 92.—Matt. Neoburg. (Albertin. Argentin.) Chron. ann. 1346 (Urstisii II. 137).—H. Mutii Chron. Lib. XXII. ann. 1311.—Chron. Fr. Pipini c. 49 (Muratori S. R. I. IX. 750).—Havemann, p. 338.—Vertot, II. 154.—Hocsemii Gest. Episcc. Leodiens. (Chapeaville, II. 346).—Trithem. Chron. Hirsaug. ann. 1307.—Naucleri Chron. ann. 1306.—Raynald. ann. 1312, No. 7; ann. 1313, No. 18.—Van Os, p. 81.—Wilcke, II. 340–1, 497.—Gassari Annal. Augstburg. ann. 1312 (Menken. I. 1473).—Schottmüller, I. 496; II. 427–9.—Regest. Clement. PP. V. T. IV. p. 452.—Rymer, III. 183–4, 292–4, 321, 337, 404, 409–10, 451–2, 472–3.—Le Roulx, Documents, etc., p. 50.

We happen to have a slight example of the plunder in an absolution granted February 23, 1310, by Clement to Bernard de Bayulli, canon and chancellor of the Abbey of Cornella in Roussillon, for the excommunication incurred by him for taking a horse, a mule, and sundry effects, valued in all at sixty livres Tour-

The Spanish peninsula had been excepted from the operation of the bull transferring the property to the Hospital, but subject to the further discretion of Clement. As regards the kingdom of Majorca he exercised this discretion in 1313 by giving King Sancho II. the personal property, and ordering him to make over the real estate to the Hospital, under condition that the latter should be subject to the duties which had been performed by the Temple. Even this did not relieve the Hospitallers from the necessity of bargaining with King Sancho. It was not until February, 1314, that the lands on the island of Majorca were surrendered to them in consideration of an annual payment of eleven thousand sols, and an allowance of twenty-two thousand five hundred sols to be made on the mesne profits to be accounted for since the donation was made. All profits previous to that time were to remain with the crown. No documents are extant to show what was done on the mainland, but doubtless there was a similar transaction. In addition to this the pensions of the Templars assigned on the property were a heavy burden for many years.*

In Aragon there was less disposition to accede to the papal wishes. Constant struggle with the Saracen had left memories of services rendered, or sharpened the sense of benefits to come from some new Order devoted wholly to national objects, which could not be expected of a body like the Hospitallers, whose primary duty was devotion to the Holy Land. The Templars had contributed largely to all the enterprises which had enlarged the boundaries of the kingdom. They had rendered faithful service to the monarchy in the council as well as in the field; to them was in great part attributed the rescue of Jayme I. from the hands of de Montfort, and they had been foremost in the glorious campaigns which had earned for him the title of *el Conquistador*. Pedro III. and Jayme II. had scarce had less reason for gratitude to them, and the latter, after sacrificing them, naturally desired to use their forfeited property for the establishment of a new Order from which he might expect similar advantages, but Clement's engagements with the Hospitallers were such that he turned a deaf

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nois, from the preceptory of Gardin, in the diocese of Lerida.—Regest. Clement. PP. V. T. V. p. 41.

* Raynald. ann. 1313, No. 37.—Allart, loc. cit. pp. 87, 89.

ear to the king's repeated representations. On the accession of John XXII., however, matters assumed a more favorable aspect, and in 1317 Vidal de Vilanova, Jayme's envoy, procured from him a bull authorizing the formation of the Order of Nuestra Señora de Montesa, affiliated to the Order of Calatrava, from which its members were to be drawn. Its duties were defined to be the defence of the coasts and frontier of Valencia from corsairs and Moors; the Templar property in Aragon and Catalonia was made over to the Hospitallers, while the new Order was to have in Valencia not only the possessions of the Temple, but all those of the Hospital, except in the city of Valencia and for half a league around it. In 1319 the preliminaries were accomplished, and the new Order was organized with Guillen de Eril as its Grand Master.*

In Castile Alonso XI. retained for the crown the greater part of the Templar lands, though, along the frontier, nobles and cities succeeded in obtaining a portion. Some were given to the Orders of Santiago and Calatrava, and the Hospitallers received little. After an interval of half a century another effort was made, and in 1366 Urban V. ordered the delivery within two months of all the Templar property to the Hospitallers, but it is safe to assume that the mandate was disregarded, though in 1387 Clement VII., the Avignonese antipope, confirmed some exchanges made of Templar property by the Hospitallers with the Orders of Santiago and Calatrava.† Castile, as we have already seen, was always singularly independent of the papacy. In Portugal, as mentioned above, the property was handed over as a whole to the Order of Jesus Christ.

In the Morea, where the Templar possessions were extensive, Clement had, as early as November 11, 1310, exercised rights of proprietorship by ordering his administrators, the Patriarch of Constantinople and the Archbishop of Patras, to lend to Gautier

* Bofarull y Brocá, Hist. de Cataluña, III. 97.—Zurita, Lib. II. c. 60; Lib. III. c. 9; Lib. VI. c. 26. — Mariana, Ed. 1789, V. 290. —La Fuente, Hist. Eccles. II. 370–1. Ilescas (Hist. Pontifical, Lib. VI. c. 2), in the second half of the sixteenth century, remarks that there had been fourteen Masters of Montesa, and never one married until the present one, D. Cesar de Borja, who is married.

† Mariana, V. 290. — Garibay, Compendio Historial Lib. XIII. cap. 33. — Zurita, Lib. VI. c. 26.—Le Roulx, Documents, etc., p. 53.

de Brienne, Duke of Athens, all the proceeds which they had collected, and all that they might collect for a year to come.*

Thus disappeared, virtually without a struggle, an organization which was regarded as one of the proudest, wealthiest, and most formidable in Europe. It is not too much to say that the very idea of its destruction could not have suggested itself, but for the facilities which the inquisitorial process placed in able and unscrupulous hands to accomplish any purpose of violence under the form of law. If I have dwelt on the tragedy at a length that may seem disproportionate, my apology is that it affords so perfect an illustration of the helplessness of the victim, no matter how high-placed, when once the fatal charge of heresy was preferred against him, and was pressed through the agency of the Inquisition.

The case of the learned theologian, Jean Petit, Doctor of Sorbonne, is of no great historical importance, but it is worth noting as an example of the use made of the charge of heresy as a weapon in political warfare, and of the elastic definition by which heresy was brought to include offences not easily justiciable in the ordinary courts.

Under Charles VI. of France the royal power was reduced to a shadow. His frequently recurring fits of insanity rendered him incapable of governing, and the quarrels of ambitious princes of the blood reduced the kingdom almost to a state of anarchy. Especially bitter was the feud between the king's brother, Louis, Duke of Orleans, and his cousin, Jean sans Peur of Burgundy. Yet even that age of violence was startled when, by the procurement of Jean sans Peur, the Duke of Orleans, in 1407, was assassinated in the streets of Paris—a murder which remained unavenged until 1419, when the battle-axe of Tanneguy du Châtel balanced the account on the bridge of Montereau. Even Jean sans Peur felt the need of some apology for his bloody deed, and he sought the assistance of Jean Petit, who read before the royal court a thesis—the *Justificatio Ducis Burgundiæ*—to prove that he had acted righteously and patriotically, and that he deserved

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* Regest. Clement. PP. V. T. V. p. 235 (Romæ, 1887).

the thanks of king and people. Written in the conventional scholastic style, the tract was not a mere political pamphlet, but an argument based on premises of general principles. It is a curious coincidence that, nearly three centuries earlier, another Johannes Parvus, better known as John of Salisbury, the worthiest representative of the highest culture of his day, in a purely speculative treatise had laid down the doctrine that a tyrant was to be put to death without mercy. According to the younger Jean Petit, "Any tyrant can and ought properly to be slain by any subject or vassal, and by any means, specially by treachery, notwithstanding any oath or compact, and without awaiting judicial sentence or order." This rather portentous proposition was limited by defining the tyrant to be one who is endeavoring through cupidity, fraud, sorcery, or evil mind to deprive the king of his authority, and the subject or vassal is assumed to be one who is inspired by loyalty, and him the king should cherish and reward. It was not difficult to find Scriptural warrant for such assertion in the slaying of Zimri by Phineas, and of Holofernes by Judith; but Jean Petit ventured on debatable ground when he declared that St. Michael, without awaiting the divine command and moved only by natural love, slew Satan with eternal death, for which he was rewarded with spiritual wealth as great as he was capable of receiving.*

That this was not a mere lawyer's pleading is shown by the fact that it was written in the vernacular and exposed for sale. Doubtless Jean sans Peur circulated it extensively, and it was doubtless convincing to those who were already convinced. It might safely have been allowed to perish in the limbo of forgetfulness, but when, some six years later, the Armagnac faction obtained the upper hand, it was exhumed from the dust as a ready means of attacking the Burgundians. Jean Petit himself, by opportunely dying some years before, escaped a trial for heresy, but in November, 1313, a national council was assembled in Paris to consider nine propositions extracted from his work. Gérard, Bishop of Paris, and Frère Jean Polet, the inquisitor, summoned the masters of theology of the University to give their opinions,

* Johann. Saresberiens. Polycrat. VIII. 17.—D'Argentré I. II. 189–5.—Monstrelet, Chroniques, I. 89, 119.

which solemnly condemned the propositions. The council debated the question with unwearied prolixity through twenty-eight sessions, and finally, on February 23, 1314, it adopted a sentence condemning the nine propositions to be burned as erroneous in faith and morals, and manifestly scandalous. The sentence was duly executed two days later on a scaffold in front of Nôtre Dame, in presence of a vast crowd, to whom the famous doctor, Benoist Gencien, elaborately explained the enormity of the heresy. Jean sans Peur thereupon appealed to the Holy See from this sentence, and John XXIII. appointed a commission of three cardinals—Orsini, Aquileia, and Florence—to examine and report. Thus Jean Petit had succeeded in becoming a European question, but in spite of this a royal ordonnance on March 17 commanded all the bishops of the kingdom to burn the propositions; on March 18, the University ordered them burned; on June 4 there was a royal mandate to publish the condemnation; on December 4 the University came to the royal court and delivered an oration on the subject, and on December 27 Charles VI. addressed a royal letter to the Council of Constance asking it to join in the condemnation. Evidently the affair was exploited to the uttermost; and when, on January 4, 1315, the long-delayed obsequies of the Duke of Orleans were performed in Nôtre Dame, Chancellor Gerson preached a sermon before the king and the court, the boldness of which excited general comment. The government of the Duke of Orleans had been better than any which had succeeded it; the death of the Duke of Burgundy was not counselled, but his humiliation was advocated; the burning of Petit's propositions was well done, but more remained to do, and all this Gerson was ready to maintain before all comers.*

It was in this mood that Gerson went to Constance as head of the French nation. In his first address to the council, March 23, 1415, he urged the condemnation of the nine propositions. The trial of John XXIII., the condemnation of Wickliff and of communion in both elements, and the discussion over Huss for a while monopolized the attention of the council, and no action was taken

* D'Argentré, I. II. 184–6. — Religieux de S. Denis, Histoire de Charles VI. Liv. xxxiii. ch. 28. — Juvenal des Ursins, anu. 1413. —Gersoni Opp. Ed. 1494, I. 14 B, C.—Von der Hardt, T. III. Prolegom. 10–13.—Monstrelet, I. 139.

until June 15. Meanwhile Gerson found an ally in the Polish nation. John of Falckenberg had written a tract applying the arguments of Jean Petit to the slaying of Polish princes, of which the Archbishop of Gnesen had readily procured the condemnation by the University of Paris, and the Polish ambassador joined Gerson in the effort to have both put under the ban. On June 15, Andrea Lascaris, Bishop of Posen, proposed that a commission be appointed to conduct an inquisition upon new heresies. Jean Petit was not alluded to, but it was understood that his propositions were aimed at, for the only negative vote was that of Martin, Bishop of Arras, the ambassador of Jean sans Peur, who asserted that the object of the movement was to assail his master; and he further protested against Cardinal Peter d'Ailly, who was put on the commission with Orsini, Aquileia, and Florence, as well as two representatives of the Italian nation and four each of the French, English, and German. On July 6, after rendering judgment against Huss, the council condemned as heretical and scandalous the proposition *Quilibet tyrannus*, which was virtually the first of the nine condemned in Paris. This did not satisfy the French, who wanted the judgment of the University confirmed on the whole series. During the two years and a half that the council remained assembled, Gerson was unwearied in his efforts to accomplish this object. These heresies he declared to be of more importance than those of Huss and Jerome, and bitterly he scolded the fathers for leaving the good work unfinished. Interminable was the wrangling and disputation, appeals from Charles VI. and the University on the one side, and from the Duke of Burgundy on the other. John of Falckenberg was thrown into prison, but nothing would induce the council to take further action, and the affair at last died out. It is difficult for us at the present day to understand the magnitude which it assumed in the eyes of that generation. Gerson subsequently felt himself obliged to meet the jeers of those who reproached him with having risked a question of such importance before such a body as the council, and he justified himself by alleging that he had acted under instructions from the king and the University, and the Gallican Church as represented in the province of Sens. Moreover, he argued, when the council had manifested such zeal in condemning the Wickliffite doctrines and in burning Huss and Jerome, he would have been

rash and unjust to suppose that it would not have been equally earnest in repressing the yet more pernicious heresies of Jean Petit. To us the result of greatest interest was its influence on the fate of Gerson himself. On the dissolution of the council he was afraid to risk the enmity of the Duke of Burgundy by returning to France, and gladly accepted a refuge offered him in Austria by Duke Ernest, which he repaid in a grateful poem. He never ventured nearer home than Lyons, where his brother was friar of a convent of Celestinian hermits, and where he supported himself by teaching school till his death, July 14, 1429.*

Criticism would doubtless ere this have demonstrated the meteoric career of Joan of Arc to be a myth, but for the concurrent testimony of friend and foe and the documentary evidence, which enable us with reasonable certainty to separate its marvellous vicissitudes from the legendary details with which they have been obscured. For us her story has a special interest, as affording another illustration of the ease with which the inquisitorial process was employed for political ends.

In 1429 the French monarchy seemed doomed beyond hope of resuscitation. In the fierce dissensions which marked the reign of the insane Charles VI. a generation had grown up in whom adherence to faction had replaced fidelity to the throne or to the nation; the loyalists were known not as partisans of Charles VII., but as Armagnacs, and the Burgundians welcomed the foreign domination of England as preferable to that of their hereditary sovereign. Paris, in spite of the fearful privations and losses entailed by the war, submitted cheerfully to the English through the love it bore to their ally, the Duke of Burgundy. Joan of Arc said that, in her native village, Domremy on the Lorraine border, there was but one Burgundian, and his head she wished were cut off; but Domremy and Vaucouleurs constituted the only Armagnac spot in northeastern France, and its boys used to have frequent fights with the Burgundian boys of Marey, from which they

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* Von der Hardt, III. Proleg. 13; IV. 335–6, 440, 451, 718–22, 724–8, 1087–88, 1092, 1192, 1513, 1531–2 — D'Argentré, I. II. 187–92.—Gersoni Opp. III. 56 Q–S, 57 B.

would be brought home wounded and bleeding. Such was the all-pervading bitterness of discord throughout the kingdom.*

Even the death of the brilliant Henry V., in 1423, had seemed to check in no degree the progress of the English arms. Under the able regency of his brother, the Duke of Bedford, seconded by such captains as Salisbury, Talbot, Scales, and Fastolf, the infant Henry VI. appeared destined to succeed to the throne of his grandfather, Charles VI., as provided in the treaty of Troyes. In 1424 the victory of Verneuil repeated the triumph of Agincourt. From Dauphiné alone three hundred knights were left upon the field, and but for the fidelity of the provinces won by the Albigensian crusades, Charles VII. would already have been a king without a kingdom. Driven beyond the Loire, he was known by the nickname of the Roi de Bourges. Vacillating and irresolute, dominated by unworthy favorites, he hardly knew whether to retreat farther to the south and make a final stand among the mountains of Dauphiné, or to seek a refuge in Spain or Scotland. In 1428 his last line of defence on the Loire was threatened by the leaguer of Orleans. He was powerless to raise the siege, and for five months the heroic city resisted till, reduced to despair, it sent the renowned knight, Pothon de Xaintrailles to the Duke of Burgundy to ask him to accept its allegiance. The duke was nothing loath, but the acquisition required the assent of his English ally, and Bedford scornfully refused—he would not, he said, beat the bush for another to win the bird. Two months more of weary siege elapsed: as the spring of 1429 opened, further resistance seemed useless, and for Charles there appeared nothing left but ignominious retreat and eventual exile.†

Such was the hopeless condition of the French monarchy when the enthusiasm of Joan of Arc introduced a new factor in the tangled problem, kindling anew the courage which had been extinguished by an unbroken series of defeats, arousing the sense of

* Journal d'un Bourgeois de Paris ann. 1431.—Epist. de Bonlavillar (Pez, Thesaur. Anecd. VI. III. 237).—Procès de Jeanne d'Arc, p. 474. (When not otherwise defined, my references to this and other documents concerning Joan are to the collection in Buchon's *Choix de Chroniques et Mémoires*, Paris, 1838.)

† Thomassin, Registre Delphinal (Buchon, p. 536, 540).—Görres, Vie de Jeanne d'Arc, Trad. Boré, Paris, 1886, p. 108.— Chronique de la Pucelle (Buchon, p. 454).

loyalty which had been lost in faction, bringing religion as a stimulus to patriotism, and replacing despair with eager confidence and hopefulness. It has been given to few in the world's history thus to influence the destiny of a nation, and perhaps to none so obscure and apparently so unfitted.*

Born January 6, 1412, in the little hamlet of Domremy, on the border line of Lorraine, she had but completed her seventeenth year when she confidently assumed the function of the saviour of her native land.† Her parents, honest peasants, had given her such training as comported with her station; she could, of course, neither read nor write, but she could recite her Pater Noster, Ave Maria, and Credo; she had herded the kine, and was a notable sempstress—on her trial she boasted that no maid or matron of Rouen could teach her anything with the needle. Thanks to her rustic employment she was tall and strong-limbed, active and enduring. It was said of her that she could pass six days and nights without taking off her harness, and marvellous stories were told of her abstinence from food while undergoing the most exhausting labor in battle and assault. Thus a strong physical constitution was dominated by a still stronger and excitable nervous organization. Her resolute self-reliance was shown when she was sought in marriage by an honest citizen of Toul, whose suit her parents favored. Finding her obdurate, he had recourse, it would seem with her parents' consent, to the law, and cited her before the Official of Toul to fulfil the marriage promise which he alleged she had made to him. Notwithstanding her youth, Joan appeared undaunted before the court, swore that she had given no pledges, and was released from the too-ardent suitor. At the age of thirteen she commenced to have ecstasies and visions. The Archangel Michael appeared to her first, and he was followed by St. Catharine and St. Margaret, whom God had specially commissioned to watch over and guide her. Even the Archangel Gabriel some-

* Though the name Joan of Arc has been naturalized in English, Jeanne's patronymic was Dare, not D'Arc.—Vallet de Viriville, Charles du Lis, pp. xii.–xiii.

† So close to the border was Joan's birthplace that a new delimitation of the frontier, made in 1571, transferred to Lorraine the group of houses including the Dare cottage, and left a neighboring group in France.—Vallet de Viriville, ubi sup. pp. 24–5.

times came to counsel her, and she felt herself the instrument of the divine will, transmuting by a subtle psychical alchemy her own impulses into commands from on high. At length she could summon her heavenly advisers at will and obtain from them instructions in any doubtful emergency. In her trial great stress was laid upon an ancient beech-tree, near Domremy, known as the Ladies' Tree, or Fairies' Tree, from near the roots of which gushed forth a spring of miraculous healing virtue. A survival of tree and fountain worship was preserved in the annual dances and songs of the young girls of the village around the tree, and the garlands which they hung upon its boughs, but Joan, although she joined her comrades in these observances, usually reserved her garlands to decorate the shrine of the Virgin in the church hard by. Extreme religious sensibility was inseparable from such a character as hers, and almost at the first apparition of her celestial visitants she made a vow of virginity. She believed herself consecrated and set apart for some high and holy purpose, to which all earthly ties must be subordinate. When she related to her judges that her parents were almost crazed at her departure, she added that if she had had a hundred fathers and mothers she would have abandoned them to fulfil her mission. To this self-concentration, reflected in her bearing, is probably to be attributed the remark of several of her chroniclers, that no man could look upon her with a lascivious eye.*

At first her heavenly guides merely told her to conduct herself well and to frequent the church, but as she grew to understand the desperate condition of the monarchy and to share the fierce passions of the time, it was natural that these purely moral instructions should change into commands to bear from God the message of deliverance to the despairing people. In her ecstasies she felt herself to be the chosen instrument, and at length her Voices, as she habitually called them, urged her several times a week to hasten to France and to raise the siege of Orleans. To her parents she feared to reveal her mission; some unguarded revelation they must have had, for, two years before her departure,

* Procès, pp. 469, 470, 471, 473, 475, 476, 477, 483, 485, 487, 499.—Chron. de la Pucelle, ann. 1429, pp. 428, 435–6, 443.—L'Averdy (Académie des Inscriptions, Notices des MSS. III. 373).

her father, Jacques Darc, had dreams of her going off with the soldiers, and he told her brothers that if he thought that his dreams would come true he wished they would drown her, or he would do it himself. Thenceforth she was closely watched, but the urgency of her celestial counsellors grew into reproaches for her tardiness, and further delay was unendurable. Obtaining permission to visit her uncle, Denis Laxart, she persuaded him to communicate her secret to Robert de Baudricourt, who held for the king the neighboring castle of Vaucouleurs. Her Voices had predicted that she would be twice repulsed and would succeed the third time. It so turned out. The good knight, who at first contemptuously advised her uncle to box her ears, at length was persuaded to ask the king's permission to send the girl to him. She must have acquired a reputation of inspiration, for while awaiting the response the Duke of Lorraine, who was sick, sent for her and she told him that if he wished a cure he must first reconcile himself with his wife. On the royal permission being accorded, de Baudricourt gave to her a man's dress and a sword, with a slender escort of a knight and four men, and washed his hands of the affair.*

The little party started, February 13, 1429, on their perilous ride of a hundred and fifty leagues, in the depth of winter, through the enemy's country. That they should accomplish it without misadventure in eleven days was in itself regarded as a miracle, and as manifesting the favor of God. On February 24 they reached Chinon, where Charles held his court, only to encounter new obstacles. It is true that some persons of sense, as we are told, recognized in her the fulfilment of Merlin's prophecy, "*Descendet virgo dorsum sagittarii et flores virgineos obscurabit*;" others found her foretold by the Sibyl and by the Venerable Bede; others asked her whether there was not in her land a forest known as the Bois Chênu, for there was an ancient prediction that from the Bois Chênu there would come a wonder-working maiden—and they were delighted on learning that it lay but a league from her father's house. Those, however, who relied on worldly wisdom shook their heads and pronounced her mission an absurdity—in fact, it was charitable to regard her as insane. It shows, indeed, to what depth of despair the royal cause had fallen, that her pre-

* Procès, pp. 471, 485.—Chronique, p. 454.—L'Averdy (ubi sup. III. 301).

tensions were regarded as of sufficient importance to warrant investigation. Long were the debates. Prelates and doctors of theology, jurists and statesmen examined her for a month, and one by one they were won over by her simple earnestness, her evident conviction, and the intelligence of her replies. This was not enough, however. In Poitiers sat Charles's Parlement and a University composed of such schoolmen as had abandoned the anglicized University of Paris. Thither was Joan sent, and for three weeks more she was tormented with an endless repetition of questioning. Meanwhile her antecedents were carefully investigated, with a result in every way confirming her good repute and truthfulness. Charles was advised to ask of her a sign by which to prove that she came from God, but this she refused, saying that it was the divine command that she should give it before Orleans, and nowhere else. Finally, the official conclusion, cautiously expressed, was that in view of her honest life and conversation, and her promising a sign before Orleans, the king should not prevent her from going there, but should convey her there in safety; for to reject her without the appearance of evil would be to rebuff the Holy Ghost, and to render himself unworthy the grace and aid of God.*

* Procès, pp. 471, 475, 478, 482, 485.—Chronique, pp. 428, 454.—Görres, pp. 37–9.—Thomassin, pp. 537, 538.—Christine de Pisan (Buchon, p. 541).—Monstrelet, Liv. II. ch. 57.—Dynteri Chron. Duc. Brabant. Lib. VI. ch. 234.

Much has been recorded in the chronicles about the miracles with which she convinced Charles's doubts—how she recognized him at first sight, although plainly clad amid a crowd of resplendent courtiers, and how she revealed to him a secret known only to God and himself, of prayers and requests made to God in his oratory at Loches (Chronique, pp. 428, 455; Jean Chartier, Hist. de Charles VII. Ed. Godefroy, p. 19; Görres, pp. 105–8). Possibly some chance expression of hers may have caught his wandering and uncertain thoughts and made an impression upon him, but the legend of the Pucelle grew so rapidly that miracles were inevitably introduced into it at every stage. Joan herself on her trial declared that Charles and several of his councillors, including the Duc de Bourbon, saw her guardian saints and heard their voices, and that the king had notable revelations (Procès, p. 472). She also told her judges that there had been a material sign, which under their skilful cross-examination developed, from a secret revealed to him alone (p. 477), into the extraordinary story that St. Michael, accompanied by Catharine and Margaret and numerous angels, came to her lodgings and went with her to the royal palace, up the stairs and through the doors, and gave to the Archbishop of Reims, who handed it to the king, a

Two months had been wasted in these preliminaries, and it was the end of April before the determination was reached. A convoy was in preparation to throw provisions into the town, and it was resolved that Joan should accompany it. Under instructions from her Voices she had a standard prepared, representing on a white field Christ holding the world, with an angel on each side—a standard which was ever in the front of battle, which was regarded as the surest guarantee of success, and which in the end was gravely investigated as a work of sorcery. She had assigned to her a troop or guard, but does not seem to have been intrusted with any command, yet she assumed that she was taking the field as the representative of God, and must first give the enemy due notice of defiance. Accordingly, on April 18, she addressed four letters, one to Henry VI. and the others to the Regent Bedford, the captains before Orleans, and the English soldiers there, in which she demanded the surrender of the keys of all the cities held in France; she announced herself ready to make peace if they will abandon the land and make compensation for the damages inflicted, otherwise she is commissioned by God, and will drive them out with a shock of arms such as had not been seen in France for a thousand years. It is scarce to be wondered that these uncourtly epistles excited no little astonishment in the English camp. Rumors of her coming had spread; she was denounced as a sorceress, and all who placed faith in her as heretics. Talbot declared that he would burn her if she was captured, and

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golden crown, too rich for description, such as no goldsmith on earth could make, telling him at the same time that with the aid of God and her championship he would recover all France, but that unless he set her to work his coronation would be delayed. This she averred had been seen and heard by the Archbishop of Reims and many bishops, Charles de Bourbon, the Duc d' Alençon, La Trémouille, and three hundred others, and thus she had been relieved from the annoying examinations of the clerks. When asked whether she would refer to the archbishop to vouch for the story, she replied, "Let him come here and let me speak with him; he will not dare to tell me the contrary of what I have told you"—which was a very safe offer, seeing that the trial was in Rouen, and the archbishop was the Chancellor of France (Procès, pp. 482–6, 495, 502). His testimony, however, could it have been had, would not probably have been advantageous to her, as he belonged to the party of La Trémouille, the favorite, who was persistently hostile to her.

the heralds who brought her letters were only saved from a similar fate by a determined threat of reprisals on the part of Dunois, then in command at Orleans.*

Some ten days later the convoy started under command of Gilles de Rais and the Maréchal de Sainte-Sevère. Joan had promised that it should meet with no opposition, and faith in her was greatly enhanced when her words proved true. Although it passed within one or two bow-shots of the English siege-works, and though there was considerable delay in ferrying the cattle and provisions across the Loire into the city, not an attempt at interference was made. The same occurred with a second convoy which reached Orleans May 4, to the surprise of the French and the disgust of the Parisians, who watched the affair from a distance, and were unable to understand the paralysis which seemed to have fallen on the English arms. Joan had impatiently awaited these last reinforcements, and urged immediate offensive measures against the besiegers. Without consulting her, on the same day an assault was made on one of the English works on the other side of the Loire. Her legend relates that she started up from slumber exclaiming that her people were being slaughtered, and, scarcely waiting for her armor to be adjusted, sprang on her horse and galloped to the gate leading to the scene of action. The attack had miscarried, but after her arrival on the scene not an Englishman could wound a Frenchman, and the *bastille* was carried. Hot fighting occurred on the following days. On the 6th she was wounded in the foot by a caltrop, and on the 7th in the shoulder by an arrow, but in spite of desperate resistance all the English works on the farther bank of the Loire were taken, and their garrisons slain or captured. The English loss was estimated at from six thousand to eight thousand men, while that of the French was not over one hundred. On the 8th the English abandoned the siege, marching off in such haste that they left behind them their sick and wounded, their artillery and magazines. The French, flushed with victory, were eager to attack them, but Joan forbade it—"Let them go;

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* Monstrelet, II. 57.—Procès, p. 478.—Thomassin, p. 538.—Chronique, pp. 430–33.

Joan's letters, when produced on her trial, were falsified—at least according to her statement.—Le Brun de Charmettes, Histoire de Jeanne d'Arc, III. 348.

it is not the will of Messire that they should be fought to-day; you will have them another time"—and by this time her moral ascendency was such that she was obeyed. So marvellous was the change in the spirit of the opposing forces, that it was a common remark that before her coming two hundred English would rout five hundred Frenchmen, but that afterwards two hundred French would chase four hundred English. Even the unfriendly Monstrelet admits that after the raising of the siege of Orleans there was no captain who so filled the mouths of men as she, though she was accompanied by knights so renowned as Dunois, La Hire, and Pothon de Xaintrailles. The Regent Bedford, in writing to the English council, could only describe it as a terrible blow from the divine hand, especially "caused of unleyefulle doubte that thei hadde of a Desciple and Lyme of the Feende called the Pucelle that used fals Enchauntements and Sorcerie." Not only, he says, were the English forces diminished in number and broken in spirit, but the enemy was encouraged to make great levies of troops.*

In the chronic exhaustion of the royal treasury it was not easy for Charles to take full advantage of this unexpected success, but the spirit of the nation was aroused and a force could be kept spasmodically in the field. D'Alençon was sent with troops to clear the Loire valley of the enemy, and took Joan with him. Suffolk had fortified himself in Jargeau, but the place was carried by assault and he was captured with all his men who were not slain. Then want of money caused a return to Tours, where Joan earnestly urged Charles to go to Reims for his coronation: she had always claimed that her mission was to deliver Orleans and to crown the king; that her time was short and that the counsel of her Voices must not be disregarded, but prudence prevailed, and it was felt that the English power in the central provinces must first be crushed. A second expedition was organized. Beaugency was besieged and taken, and on June 18 the battle of Patay gave some slight amends for Agincourt and Verneuil. After feeble resistance the English fled. Twenty-five hundred of them were left upon the

* Monstrelet, II. 57–61.—Thomassin, p. 538.—Chronique, pp. 430–7.—Jean Chartier, pp. 22–4.—Journal d'un Bourgeois de Paris, ann. 1429.—Rymer, X. 408.

field, and large numbers were captured, including Talbot, Scales, and others of note. Thus in little more than six weeks all the leading English captains were slain or in captivity, except Fastolf, whose flight from Patay Bedford avenged by tearing from him the Order of the Garter. Their troops were dispersed and dispirited, their prestige was gone. It was no wonder that in all this one side recognized the hand of God and the other that of the devil. Even the Norman chronicler, P. Cochon, says that the English would have abandoned France if the regent would have allowed it, and that they were so dispirited that one Frenchman would chase three of them.*

A letter written from the court of Charles VII. to the Duke of Milan three days after the triumph of Patay, recounting the marvels of the previous weeks, shows how Joan was regarded and how rapidly her legend was growing. At her birth the villagers of Domremy were joyously excited, they knew not why, and the cocks for two hours flapped their wings and uttered a song wholly different from their ordinary crowing. Her visions were described in the most exaggerated terms, as well as her personal prowess and endurance. The relief of Orleans, the capture of Jargeau, Mehun-sur-Loire, and Beaugency, and the crowning mercy of Patay were all attributed to her: hers was the initiative, the leadership, and the success; no one else is alluded to. We are told, moreover, that she was already predicting the deliverance of Charles of Orleans, a prisoner in England for fifteen years, and had sent a notice to the English to surrender him.†

It could no longer be doubted that Joan was under the direct inspiration of God, and when at Gien, on June 25, there was a consultation as to the next movement, though Charles's councillors advised him to reduce La Charité and clear the Orleannais and Berri of the enemy, it is no wonder that he yielded to Joan's urgency and gave his assent to a march to Reims. The enterprise seemed a desperate one, for it lay through a hostile country with strong cities along the road, and the royal resources were inadequate to equipping and provisioning an army or providing it with siege-

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* Chronique, pp. 438–41.—Jean Chartier, pp. 36–7.—Chron. de P. Cochon (Éd. Vallet de Viriville, p. 456).

† Epist. P. de Bonlavillar (Pez, Thes. Anecd. VI. III. 237).

trains. But enthusiasm was rising to fever heat, and human prudence was distrust of God. Volunteers came pouring in as soon as the king's intentions were noised abroad, and gentlemen too poor to arm and mount themselves were content to serve as simple archers and retainers. La Trémouille, the royal favorite, thinking his own position endangered, caused the services of multitudes to be rejected, but for which, it was said, an army sufficient to drive the English from France could readily have been collected. On went the ill-conditioned forces. Auxerre, though not garrisoned, refused to open its gates, but gave some provisions, and in spite of Joan's desire to take it by assault the king went forward, induced, it was said, by La Trémouille, who had received from the town a bribe of two thousand livres. At Troyes there was a strong English and Burgundian garrison; it could not be left behind and the army encamped before it for five or six days, with no artillery to breach its walls. There was neither money nor victual, and the only subsistence was ears of corn and beans plucked in the fields. The situation was discouraging, and a council of war under the impulse of the Chancellor Renaud de Chartres, Archbishop of Reims, advised retreat. Joan was sent for and declared that within two days the town would surrender. She was given the time she asked, and at once proceeded to gather material to fill the trenches, and to mount some small culverins. A panic seized the inhabitants and they demanded to surrender; the garrison was allowed to march out, and the city returned to its allegiance.†

When Joan entered the town she was met by a Frère Richard, whom the people had sent to examine her and report what she was. The worthy friar, doubtful whether she was of heaven or hell, approached her cautiously, sprinkling holy water and making the sign of the cross, till she smiled and told him to come boldly on, as she was not going to fly away. This Frère Richard was a noted Franciscan preacher who had recently returned from a pilgrimage to Jerusalem, and in April had made the deepest impression on Paris with his eloquence. From April 16th to the 26th he had preached daily to audiences of five and six thousand souls, and had excited such a tempest of emotion that on one day a hundred

† Chronique, pp. 442–5.—Jean Chartier, pp. 29–31.—Jacques le Bouvier (Godefroy, p. 378).

bonfires were built in the streets into which men threw their cards and dice and tables, and women their ornaments and frippery. Over this man Joan obtained so complete a mastery that he devoted himself to her and followed her in her campaigns, using his eloquence to convert the people, not from their sins, but from their disloyalty to Charles. When the good Parisians heard of this they resumed their cards and dice to spite him. Even a tin medal with the name of Jesus which he had given them to wear was cast aside for the red cross of Burgundy. In the passion of the hour on both sides religion was but the handmaid of partisanship.*

After this the march to Reims was a triumphant progress. Chalons-sur-Marne sent half a day's journey in advance to submit and took the oath of allegiance. At Septsaux the garrison fled and the people welcomed their king, while the Dukes of Lorraine and Bar came to join him with a heavy force. Reims was held for Burgundy by the Seigneur de Saveuse, one of the doughtiest warriors of the day, but the citizens were so frightened by the coming of the Pucelle, whose reported wonders had impressed their imaginations, that they declared for Charles, and Saveuse was obliged to fly. Charles entered the town on July 16, and was joyfully received. The next day, Sunday, July 17, he was crowned King of France. During the ceremony Joan stood by the altar with the standard: her judges on her trial seemed to imagine that she held it there for some occult influence which it was supposed to exercise, and inquired curiously as to her motive; when she answered simply, "It had been in the strife, it had a right to be in the honor." †

Joan might well claim that her mission was accomplished. In little more than three months she had made the intending fugitive of Chinon a conquering king, to whom his flatterers gave the title of the Victorious. A few months more of such success would establish him firmly on the throne of a reunited France, and no one could doubt that success would grow more rapid if only with its own momentum. Negotiations were on foot with the Duke of Burgundy, which were expected to result in detaching

* Procès, p. 479.—Journal d'un Bourgeois de Paris, an 1429, 1431.

† Chronique, p. 446.—Monstrelet, II. 64.—Buchon, p. 524.—Procès, p. 494.

him from the English cause. Joan had written to him some weeks earlier asking him to be present at the coronation, and on the day of the ceremony she addressed him another letter, summoning and entreating him to return to his allegiance. In a few days Beauvais, Senlis, Laon, Soissons, Château-Thierry, Provins, Compiègne, and other places acknowledged Charles as king and received his garrisons. There was universal exultation and a contagious delirium of returning loyalty. As he marched the peasantry would gather with tears in their eyes to bless him, and thank God that peace was at hand. All men admitted that this was Joan's work. Christine de Pisan, in a poem written about this time, compares her to Esther, Judith, Deborah, Gideon, and Joshua, and even Moses is not her superior. A litany of the period contains a prayer recognizing that God had delivered France by her hand. A Burgundian chronicler tells us that the belief was general among the French soldiery that she was an envoy of God who could expel the English; even after the enthusiasm of the time had passed away Thomassin, who wrote officially in a work addressed to Louis XI., does not hesitate to say that of all the signs of love manifested by God to France, there has not been one so great or so marvellous as this Pucelle—to her was due the restoration of the kingdom, which was so low that it would have reached its end but for her coming. That she was regarded as an oracle of God on other subjects is seen in the application to her by the Comte d'Armagnac to tell him which of the three popes to believe in; and her acceptance of the position is shown by her answer, that when she is relieved from the pressure of the war she will resolve his doubts by the counsel of the King of all the world. If on the one hand her dizzy elevation turned her head to the extent of addressing threatening letters to the Hussites, on the other she never lost her kindly sympathy with the poor and humble; she protected them as far as she could from the horrors of war, comforted and supported them, and their grateful veneration shown in kissing her hands and feet and garments was made a crime to her by her pitiless judges.*

* Buchon, pp. 539, 545.—Bernier, Monuments inédits de France, Senlis, 1833, p. 18.—Journal d'un Bourgeois de Paris, an 1429.—Chronique, pp. 446-7.—Mémoires de Saint-Remy, ch. 152.—Thomassin, p. 540.—Nider Formicar. v. viii.—Procès, p. 479.

Christine de Pisan says of her:

With all this it does not seem that Joan had any definite rank or command in the royal armies. Christine de Pisan, it is true, speaks of her as being the recognized chief—

"Et de nos gens preux et habiles
Est principale chevetaine"—

but it does not appear that her position had any other warrant than the moral influence which her prodigious exploits and the belief in her divine mission afforded. Charles's gratitude gavo her a handsome establishment. She was magnificently attired, noble damsels were assigned to her service, with a *maître d'hôtel*, pages, and valets; she had five war-horses, with seven or more roadsters, and at the time of her capture she had in her hands ten or twelve thousand francs, which, as she told her judges, was little enough to carry on war with. Shortly after his coronation, Charles, at her request, granted to Domremy and Greux the privilege of exemption from all taxes, a favor which was respected until the Revolution; and in December, 1429, he spontaneously ennobled her family and all their posterity, giving them as arms on a field azure two *fleurs-de-lis or*, traversed by a sword, and authorizing them to bear the name of Du Lis—in all a slender return for the priceless service rendered, and affording to her judges another count in the indictment on her trial.*

"Que peut-il d'autre estre dit plus
Ne des grands faits du temps passé:
Moysès en qui Dieu afflus
Mit graces et vertus assez;
Il tira sans estre lassez
Le peuple Israël hors d'Egypte;
Par miracle ainsi repassez
Nous as de mal, pucelle eslite."

Buchon, p. 542.

The question which troubled Armagnac was a last struggle of the Great Schism. Benedict XIII., who had never submitted to the Council of Constance, died in 1424, when his cardinals quarrelled and elected two successors to his shadowy papacy—Clement VIII. and Benedict XIV. In 1429, the Council of Tortosa suppressed them both, but at the moment it was a subject on which Armagnac might imagine that heavenly guidance was desirable.

* Görres, pp. 241–2, 273.—Procès, p. 482.—Buchon, pp. 513–4.—Dynteri Chron. Duc. Brabant. Lib. vi. ch. 235.

In the register of taxes every year was written opposite the names of Domremy and Greux, "*Neant, la Pucelle.*" The grant of nobility to her family had the very unusual clause that it passed by the female as well as the male descendants, who were thus all exempt from taxation. As matrimonial alliances extended among the rich bourgeoisie this exemption spread so far that in 1614 the

All Europe was aroused with so portentous an apparition. It was not only statesmen and warriors that watched with astonishment the strange vicissitudes of the contest, but learned men and theologians were divided in opinion as to whether she was under the influence of heavenly or of infernal spirits, and were everywhere disputing and writing tracts to uphold the one opinion or the other. In England, of course, there was no dissent from the popular belief which Shakespeare puts in the mouth of Talbot—

> "A witch by fear, not force, like Hannibal,
> Drives back our troops and conquers as she lists."

So general, indeed, was the terror that she excited that when, in May, 1430, it was proposed to send Henry VI. to Paris for coronation, both captains and soldiers in the levies appointed for his escort deserted and lay in hiding; and when, in December, after Joan lay a prisoner in Rouen Castle and the voyage was performed, the same trouble was experienced, requiring another proclamation to the sheriffs for the arrest of those who were daily deserting, to the great peril of the royal person and of the kingdom of France. Elsewhere the matter was not thus taken for granted, and was elaborately argued with all the resources of scholastic logic. Some tracts of this character attributed to Gerson have been preserved, and exhibit to us the nature of the doubts which suggested themselves to the learned of the time—whether Joan is a woman or a phantasm; whether her acts are to be considered as divine or phitonic and illusory; whether, if they are the result of supernatural causes, they come from good or evil spirits. To Joan's defenders the main difficulty was her wearing male attire and cutting her hair short—an offence which in the end proved to be the most tangible one to justify her condemnation. Even her advocates in the schools felt that in this the case was weak. It had to be admitted that the Old Law prohibits a woman from wearing man's garments, but this, it was argued, was purely juridical, and was not binding under the New Law; it had merely a moral object, to prevent indecency, and the circumstances and objects were to be considered, so that the law could not be held to prohibit manly and military vesture to Joan, who was both manly and

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financial results caused its limitation to the male lines for the future (Vallet de Viriville, Charles du Lis, pp. 24, 88).

military. The cutting of her hair, prohibited by the Apostle, was justified in the same manner.*

For a few weeks after the coronation Joan was at the culmination of her career. An uninterrupted tide of success had demonstrated the reality of her divine mission. She had saved the monarchy, and no one could doubt that the invader would shortly be expelled from France. Possibly she may, as has been represented, have declared that all which God had appointed her to do had been accomplished, and that she desired to return to her parents and herd their cattle as she had been accustomed of old. In view of what followed, this was the only way to uphold the theory of divine inspiration, and such a statement inevitably formed part of her legend, whether it was true or not. In her subsequent failures, as at Paris and La Charité, Joan naturally persuaded herself that they had been undertaken against the counsel of her Voices, but all the evidence goes to prove that at the time she was as confident of success as ever. Thus a letter written from Reims on the day of coronation, evidently by a well-informed person, states that the army was to start the next day for Paris, and that the Pucelle had no doubts as to her reducing it to obedience. Nor did she really consider her mission as ended, for she had at the commencement proclaimed the liberation of Charles of Orleans as one of her objects, and on her trial she explained that she proposed either to invade England to set him free or to capture enough prisoners to force an exchange: her Voices had promised it to her, and had she not been captured she would have accomplished it in three years.†

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* Nider Formicar v. viii.—Rymer, X. 459, 472.—Gersoni Opp. Ed. 1488, liii. T–Z.—M. de l'Averdy gives an abstract of other learned disputations on the subject of Joan (ubi sup. III. 212–17).

† Chronique, p. 447.—Buchon, p. 524.—Pez, Thesaur. Anecd. VI. iii. 237.—Procès, p. 484.—L'Averdy, III. 338.

The popular explanation of Joan's career connected her good-fortune with a sword marked with five crosses on the blade, which she had miraculously discovered in the church of St. Catharine de Fierbois, and which she thenceforth carried. On the march to Reims, finding her commands disregarded as to the exclusion of prostitutes from the army, she beat some loose women with the flat of the blade and broke it. No smith could weld the fragments together; she was obliged to wear another sword, and her unvarying success disappeared.—Jean Chartier, pp. 20, 29, 42.

Be this as it may, from this time the marvellous fortune which had attended her disappears; alternations of success and defeat show that either the French had lost the first flush of confident enthusiasm, or that the English had recovered from their panic and were doggedly resolved to fight the powers of hell. Bedford managed to put a respectable force in the field, with the assistance of Cardinal Beaufort, who made over to him, it was said for a heavy bribe, four thousand crusaders whom he was leading from England to the Hussite wars. He barred the way to Paris, and three times the opposing armies, of nearly equal strength, lay face to face, but Bedford always skilfully chose a strong position which Charles dared not attack, showing that human prudence had replaced the reckless confidence of the march to Reims. We catch a glimpse of the intrigues of the factions surrounding Charles in the attempted retreat to the Loire, frustrated at Bray-sur-Seine, when the defeat of the courtiers who assailed the English guarding the passage of the river was hailed with delight by Joan, Bourbon, Alençon, and the party opposed to La Trémouille. Charles, perforce, remained in the North. Towards the end of August, Bedford, fearing an inroad on Normandy, marched thither, leaving the road to Paris open, and Charles advanced to St. Denis, which he occupied without resistance, August 25. On September 7 an attempt was made to capture Paris by surprise, with the aid of friends within the walls, and this failing, on the 8th, the feast of the Nativity of the Virgin, an assault in force was made at the Porte St. Honoré. The water in the inner moat, however, was too deep and the artillery on the walls too well served: after five or six hours of desperate fighting the assailants were disastrously repulsed with a loss of five hundred killed and one thousand wounded. As usual Joan had been at the front till she fell with an arrow through the leg, and her standard-bearer was slain by her side. Joan subsequently averred that she had had no counsel from her Voices to make this attempt, but had been over-persuaded by the eager chivalry of the army; but this is contradicted by contemporary evidence, and her letter to d'Armagnac promises him a reply when she shall have leisure in Paris, showing that she fully expected to capture the city.*

* Chronique, pp. 446–50.—Jean Chartier, p. 33–86.—Görres, p. 215.—Monstre-

From this time her checkered career was rather of evil fortune than of good. If at St. Pierre-les-Moustiers the old enthusiasm made the forlorn hope imagine that it ascended the breach as easily as a broad stairway, the siege of La Charité, to which it was a preliminary, proved disastrous, and again Joan averred that she had undertaken this without orders from her Voices. It was freely said that La Trémouille had sent her on the enterprise with insufficient forces and had withheld the requisite succors. During the winter she was at Lagny, where occurred a little incident which was subsequently used to confirm the charge of sorcery. A child was born apparently dead; the parents, dreading to have it buried without baptism, had it carried to the church, where it lay, to all appearance, lifeless for three days; the young girls of the town assembled in the church to pray for it, and Joan joined them. Suddenly the infant gave signs of life, gaped thrice, was hurriedly baptized, died, and was buried in consecrated ground, and Joan had the credit of working a miracle, to be turned subsequently to her disadvantage. Probably about the same time, there was trouble about a horse of the Bishop of Senlis, which Joan took for her own use. She found it worthless for her purposes and sent it back to him, and also caused him to be paid two hundred saluts d'or for it (the salut d'or was equivalent to twenty-two sols parisis), but on her trial the matter was gravely charged against her, showing how eagerly every incident in her career was scrutinized and utilized.*

As the spring of 1430 opened, the Duke of Burgundy came to the assistance of his English allies by raising a large army for the recovery of Compiègne. The activity of Joan was unabated. During Easter week, about the middle of April, we hear of her in the trenches at Melun, where her Voices announced to her that she would be a prisoner before St. John's day, but would give her no further particulars. Before the close of the month she attacked the advancing Burgundians at Pont-l'Évêque, with her old

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let, II. 66–70.—Journal d'un Bourgeois de Paris, an 1429.—Procès, pp. 486, 490.—Mémoires de Saint-Remy, ch. 152.—Buchon, pp. 524, 539.

* Görres, pp. 292–5.—Jean Chartier, pp. 39–40.—Jean le Bouvier, p. 881.—Martial d'Auvergne, Vigiles de Charles VII.—Buchon, p. 544.—Procès, pp. 480, 488, 490.

comrade-in-arms Pothon de Xaintrailles, and was worsted. Then she had a desperate fight with a Burgundian partisan, Franquet d'Arras, whom she captured with all his troop; he had been a notorious plunderer, the magistrates of Lagny claimed him for trial, and after an investigation which lasted for fifteen days they executed him as a robber and murderer, for which Joan was held responsible, his death being one of the most serious charges pressed against her. About May 1 Compiègne was invested. Its siege was evidently to be the decisive event of the campaign, and Joan hastened to the rescue. Before daylight on the morning of the 5th she succeeded in entering the town with reinforcements. In the afternoon of the same day a sally was resolved upon, and Joan as usual led it, with Pothon and other captains by her side. She fell upon the camp of a renowned knight of the Golden Fleece named Bauldon de Noyelle, who, though taken by surprise, made a gallant resistance. From the neighboring lines troops hastened to his assistance, and the tide of battle swayed back and forth. A force of a thousand Englishmen on their way to Paris had tarried to aid Philip of Burgundy, and these were brought up between the French and the town to take them in the rear. Joan fell back and endeavored to bring her men off in safety, but while covering the retreat she was unable to regain the fortifications, and was taken prisoner by the Bâtard de Vendôme, a follower of Jean de Luxembourg, Comte de Ligny, second in command to the duke. There was naturally talk of treachery, but it would seem without foundation. Pothon was likewise captured, and it evidently was but the fortune of war.*

Great was the joy in the Burgundian camp when the news spread that the dreaded Pucelle was a prisoner. English and Burgundians gave themselves up to rejoicing, for, as the Burgundian Monstrelet, who was present, informs us, they valued her capture more than five hundred fighting men, for there was no captain or chief of whom they were so afraid. They crowded around her quarters at Marigny, and even the Duke of Burgundy himself paid her a visit and exchanged some words with her. At once the question arose as to her possession. She was a

* Procès, pp. 481, 482, 488.—Mémoires de Saint-Remy, ch. 158.—Monstrelet, II. 84-86.—Chronique, p. 456.—Jean Chartier, p. 42.

prisoner of war, belonging to Jean de Luxembourg, and, in those days of ransoming, prisoners were valuable property. Under existing customs, Henry VI., as chief of the alliance, had the right to claim the transfer of any captured commanding general or prince on paying the captor ten thousand livres—a sort of eminent domain, for in the wars of Edward III. Bertrand du Guesclin had been held at a ransom of one hundred thousand livres, the Constable de Clisson at the same, and in 1429 it had cost the Duc d'Alençon two hundred thousand crowns to effect his liberation from the English. In the exhausted state of the English exchequer, however, even ten thousand livres was a sum not readily procurable. It was a matter of absolute necessity to the English to have her, not only to prevent her ransom by the French, but to neutralize her sorceries by condemning and executing her under the jurisdiction of the Church. To accomplish this the Inquisition was the most available instrumentality: inside the English lines Joan was publicly reported to be a sorceress, and as such was judiciable by the Inquisition, which therefore had a right to claim her for trial. Accordingly, but a few days had elapsed after her capture when Martin Billon, Vicar of the Inquisitor of France, formally demanded her surrender, and the University of Paris addressed two letters to the Duke of Burgundy urging that she should be promptly tried and punished, lest his enemies should effect her deliverance. We have seen how by this time the importance of the Inquisition in France had shrunken, and Jean de Luxembourg was by no means disposed to surrender his valuable prize without consideration. Then another device was adopted. Compiègne, where Joan was captured, was in the diocese of Beauvais. Pierre Cauchon, the Count-bishop of Beauvais, though a Frenchman of the Remois, was a bitter English partisan, whose unscrupulous cruelty at a later period excited the cordial detestation even of his own faction. He had been driven from his see the previous year by the returning loyalty of its people under the impulse given by Joan, and may be assumed to have looked upon her with no loving eye. He was told to claim her for trial under his episcopal jurisdiction, but even he shrank from the odious business, and refused unless it could be proved that it was his duty. Possibly the promise of the reversion of the bishopric of Lisieux, with which he was subsequently rewarded, may have assisted in

convincing him, while the authority of the University of Paris was invoked to quiet his scruples. July 14, the University addressed letters to Jean de Luxembourg reminding him that his oath of knighthood required him to defend the honor of God and the Catholic faith, and the holy Church. Through Joan, idolatries, errors, false doctrines, and evils innumerable had spread through France, and the matter admitted of no delay. The Inquisition had earnestly demanded her for trial, and Jean was urgently begged to surrender her to the Bishop of Beauvais, who had likewise claimed her; all inquisitor-prelates are judges of the faith, and all Christians of every degree are bound to obey them under the heavy penalties of the law, while obedience will acquire for him the divine grace and love, and will aid in the exaltation of the faith. When furnished with this, Pierre Cauchon lost no time. He left Paris at once with a notary and a representative of the University, and on the 16th presented it to the Duke of Burgundy in the camp before Compiegne, together with a summons of his own addressed to the Duke, Jean de Luxembourg, and the Bâtard de Vendôme, demanding the surrender of Joan for trial before him on charges of sorcery, idolatry, invocation of the devil, and other matters involving the faith—trial which he is ready to hold, with the assistance of the inquisitor and of doctors of theology, for the exaltation of the faith and the edification of those who have been misled by her. He further offered a ransom of six thousand livres and a pension to the Bâtard de Vendôme of two or three hundred livres, and if this was not enough the sum would be increased to ten thousand livres, although Joan was not so great a person as the king would have a right to claim on giving that amount; if required, security would be furnished for the payment. These letters the duke transferred to Jean de Luxembourg, who after some discussion agreed to sell her for the stipulated sum. He would not trust his allies, however, even with security, and refused to deliver his prisoner until the money was paid. Bedford was obliged to convene the states of Normandy and levy a special tax to raise it, and it was not till October 20 that Jean received his price and transferred his captive.*

* Monstrelet, II. 86.—Jean Chartier, p. 25.—Journal d'un Bourgeois de Paris, an 1435.—L'Averdy (ubi sup. III. 8).—Chronique et Procès, pp. 462–4.

During all this long delay Charles, to his eternal dishonor, made no effort to save the woman to whom he owed his crown. While her prolonged trial was under way he did not even appeal to Eugenius IV. or to the Council of Basle to evoke the case to their tribunal, an appeal which would hardly have been rejected in a matter of so much interest. It is true that her recent labors had not been so brilliantly successful as those of the earlier period: he may have recognized that after all she was but human; or he may have satisfied his conscience with the reflection that if she were an envoy of God, God might be trusted to extricate her. Besides, the party of peace in his court, headed by La Trémouille, the favorite, had no desire to see the heroine at large again, and the weak and self-indulgent monarch abandoned her to her fate as, twenty years later, he abandoned Jacques Cœur.

Meanwhile Joan had been carried, strictly guarded to prevent her escape by magic arts, from Marigny to the Castle of Beaulieu, and thence to the Castle of Beaurevoir. In the latter prison she excited the interest of the Dame de Beaurevoir, and of the Demoiselle de Luxembourg, aunt of Jean. The latter earnestly remonstrated with her nephew when she learned that he was treating with the English, and both ladies endeavored to persuade Joan to adopt female habiliments. They must have impressed her with their kindness, for she subsequently declared that she would have made the change for them rather than for any other ladies in France. Her restless energy chafed at the long captivity, and twice she made attempts to escape. Once she succeeded in shutting her guards up in her cell, and would have got off but that her jailer saw her and secured her. Again, when she heard that she was to be surrendered to the English, she despairingly threw herself from her lofty tower into the ditch, careless whether it would kill her or not. Her Voices had forbidden the attempt, but she said that she had rather die than fall into English hands—and this was subsequently charged against her as an attempted suicide and a crime. She was picked up for dead, but she was reserved for a harsher fate and speedily recovered. She might well regret the recovery when she was carried to Rouen, loaded with chains and confined in a narrow cell where brutal guards watched her day and night. It is even said that an iron cage was made, into which she was thrust with fetters on wrist, waist, and ankles. She

had been delivered to the Church, not to the secular authorities; she was entitled to be kept in an ecclesiastical prison, but the English had paid for her and would listen to no reclamations. Warwick had charge of her and would trust her to no one.*

Pierre Cauchon still was in no haste to commence the iniquitous work which he had undertaken. After a month had passed, Paris grew excited at the delay. The city, so ardently Anglicized, had a special grudge against Joan, not only on account of believing that she had promised her soldiers on the day of assault to allow them to sack the city and put the inhabitants to the sword, but because they were exposed to the greatest privations by the virtual blockade resulting from the extension of the royal domination caused by her successes. This feeling found expression in the University, which from the first pursued her with unrelenting ferocity. Not content with having intervened to procure her surrender to the English, it addressed letters, November 21, to Pierre Cauchon, reproaching him with his tardiness in commencing the process, and to the King of England, asking that the trial be held in Paris, where there are so many learned and excellent doctors. Still Cauchon hesitated. Doubtless when he came to consider the evidence on which he would have to act he recognized, as irresponsible partisans could not, how flimsy it was, and he was busy in obtaining information as to all the points in her career—for the interrogatories showed a marvellous familiarity with everything that could possibly be wrested against her. Besides, there were indispensable preliminaries to be observed. His jurisdiction arose from her capture in his diocese, but he was an exile from it, and was expected to try her not only in another diocese, but in another province. The archbishopric of Rouen was vacant, and he adopted the expedient of requesting of the chapter permission to hold an ecclesiastical court within their jurisdiction. The request was granted, and he selected an assembly of experts to sit with him as assessors. A number came willingly from the University, whose expenses were paid by the English government, but it was more difficult to find accomplices among the local prelates and doctors. In one of the early sessions, Nicholas de Houppeland

* Monstrelet, II. 86.—Chronique, p. 462.—Procès, pp. 478, 480–1, 486, 487, 488, 489.—Le Brun de Charmettes, Histoire de Jeanne d'Arc, III. 182–3.

plainly told Cauchon that neither he nor the rest, belonging to the party hostile to Joan, could sit as judges, especially as she had already been examined by the Archbishop of Reims, who was the metropolitan of Beauvais. For this Nicholas was imprisoned in the Castle of Rouen, and was threatened with banishment to England and with drowning, but his friends eventually procured his liberation. Undoubtedly every man who sat on the tribunal had the conviction that any leaning to the accused would expose him to English vengeance, and it was found necessary to impose a fine on any one who should absent himself from a single session. Eventually a respectable body of fifty or sixty theologians and jurists was got together, including such men as the Abbots of Fécamp, Jumièges, Ste. Catharine, Cormeilles, and Préaux, the Prior of Longueville, the archdeacon and treasurer of Rouen, and other men of recognized position. On January 3, 1431, royal letters-patent were issued ordering Joan to be delivered to Pierre Cauchon whenever she was wanted for examination, and all officials to aid him when called upon. As though she were already convicted, the letters recited the heresies and evil deeds of the culprit, and significantly concluded with a clause that if she was acquitted she was not to be liberated, but to be returned to the custody of the king. Yet it was not until the 9th that Cauchon assembled his experts, at that time eight in number, and laid before them what had been already done. They decided that the informations were insufficient and that a further inquest was necessary, and they also protested ineffectually against Joan's detention in a state prison. Measures were at once taken to make the investigations required. Nicholas Bailly was despatched to obtain the details of Joan's childhood, and as he brought back only favorable details Cauchon suppressed his report and refused to reimburse his expenses. The inquisitorial method of making the accused betray herself was adopted. One of the assessors, Nicholas l'Oyseleur, disguised himself as a layman and was introduced into her cell, pretending to be a Lorrainer imprisoned for his loyalty. He gained her confidence, and she grew into the habit of talking to him without reserve. Then Warwick and Cauchon with two notaries ensconced themselves in an adjoining cell of which the partition wall had been pierced, while l'Oyseleur led her on to talk about her visions; but the scheme failed, for one of

the notaries, unfamiliar with inquisitorial practice, pronounced the whole proceeding to be unlawful, and courageously refused to act. Then Jean Estivet, the prosecutor and canon of Beauvais, tried the same expedient, but without success.*

It was not until February 19 that the articles of accusation were ready for submission to the assessors, and then a new difficulty arose. Thus far the tribunal had contained no representative of the Inquisition, and this was recognized as a fatal defect. Frère Jean Graveran was Inquisitor of France, and had appointed Frère Jean le Maître, in 1424, as his vicar or deputy for Rouen. Le Maître seems to have had no stomach for the work, and to have kept aloof, but he was not to be let off, and at the meeting of February 19 it was resolved to summon him, in the presence of two notaries, to take part in the proceedings and to hear read the accusation and the depositions of witnesses. Threats are said to have been freely employed, and his repugnance was overcome. Another session was held in the afternoon, at which he appeared, and on being summoned to act professed himself willing to do so, if the commission which he held was sufficient authorization. The scruple which he alleged was ingenious. He was Inquisitor of Rouen, but Cauchon was bishop in a different province, and, as he was exercising jurisdiction belonging to Beauvais in the "borrowed territory," le Maître doubted his powers to take part in it. It was not till the 22d that his doubts were overcome, and, while awaiting enlarged powers from Graveran, he consented to assist, for the discharge of his conscience and to prevent the whole proceedings from being null and void, which by common consent seems to have been assumed would be the case if carried on without the participation of the Inquisition. It was not until

* Journal d'un Bourgeois de Paris, an 1429.—Le Brun de Charmettes, III. 201–7, 210–12, 215, 224–6.—Procès, pp. 465–7, 477.—L'Averdy, pp. 391, 475, 499.

At least one of the assessors, Thomas de Courcelles, was a man of the highest character and of distinguished learning. Immediately after the trial of Joan he played a distinguished part at the Council of Basle, in opposing the claims of the papacy. Æneas Sylvius says of him, "Inter sacrarum literarum doctores insignis, quo nemo plura ex decretis sacri concilii dictavit, vir juxta doctrinam mirabilis et amabilis, sed modesta quadam verecundia semper intuens terram" (Æn. Sylv. Comment. de Gestis Concil. Basil. Lib. I. p. 7, Ed. 1571).—He died in 1469 as Dean of Nôtre Dame (Le Brun, III. 235).

March 12 that he received a special commission from Graveran, who declined to come personally, after which he presided in conjunction with Cauchon; sentence was rendered in their joint names, and he was duly paid by the English for his services.*

At length, on February 21, Jean Estivet, the prosecutor, demanded that the prisoner be produced and examined. Before she was introduced Cauchon explained that she had earnestly begged the privilege of hearing mass, but, in view of the crimes whereof she was accused and her wearing male attire, he had refused. This prejudgment of the case was acquiesced in, and Joan was brought in with fetters on her legs. Of this cruelty she complained bitterly. Even the Templars, as we have seen, had their irons removed before examination, but Joan was only nominally in the hands of the court, and Cauchon accepted the responsibility for the outrage by telling her that it was because she had repeatedly tried to escape, to which she replied that she had a right to do so, as she had never given her parole. Then Cauchon called up the English guard who accompanied her and went through the farce of swearing them to watch her strictly—apparently for the futile purpose of asserting some control over them.†

It would be superfluous to follow in detail the examinations to which she was subjected during the next three months, with an intermission from April 18 to May 11 on account of sickness which nearly proved mortal. The untaught peasant girl, enfeebled by the miseries of her cruel prison, and subjected day after day to the shrewd and searching cross-questions of the trained and subtle intellects of her carefully selected judges, never lost her presence of mind or clearness of intellect. Ingenious pitfalls were constructed for her, which she evaded almost by instinct. Questions puzzling to a theologian of the schools were showered upon her; half a dozen eager disputants would assail her at once and would interrupt her replies; the disorder at times was so great that the notaries finally declared themselves unable to make an intelligent record. Her responses would be carefully scrutinized, and she would be recalled in the afternoon, the same ground would be gone over in a differ-

* Ripoll III. 8.—Procès, pp. 467–8, 470, 509.—Le Brun de Charmettes, III. 188, 192, 219, 407–8.—L'Averdy, p. 391.

† Procès, pp. 468–9.

ent manner, and her pursuers would again be foiled. In the whole series of interrogatories she manifested a marvellous combination of frank simplicity, shrewdness, presence of mind, and firmness that would do honor to a veteran diplomat. She utterly refused to take an unconditional oath to answer the questions put to her, saying, frankly, "I do not know what you will ask me; perhaps it may be about things which I will not tell you:" she agreed to reply to all questions about her faith and matters bearing upon her trial, but to nothing else. When Cauchon's eagerness overstepped the limit she would turn on him and warn him, "You call yourself my judge: I know not if you are, but take care not to judge wrongfully, for you expose yourself to great danger, and I warn you, so that if our Lord chastises you I shall have done my duty." When asked whether St. Michael was naked when he visited her, she retorted, "Do you think the Lord has not wherewith to clothe his angels?" When describing a conversation with St. Catharine about the result of the siege of Compiègne, some chance expression led her examiner to imagine that he could entrap her, and he interrupted with the question whether she had said, "Will God so wickedly let the good folks of Compiègne perish?" but she composedly corrected him by repeating, "What! will God let these good folks of Compiègne perish, who have been and are so loyal to their lord?" She could hardly have known that an attempt to escape from an ecclesiastical court was a sin of the deepest dye, and yet when tested with the cunning question whether she would now escape if opportunity offered, she replied that if the door was opened she would walk out; she would try it only to see if the Lord so willed it. When an insidious offer was made to her to have a great procession to entreat God to bring her to the proper frame of mind, she quietly replied that she wished all good Catholics would pray for her. When threatened with torture, and told that the executioner was at hand to administer it, she simply said, "If you extort avowals from me by pain I will maintain that they are the result of violence." Thus alternating the horrors of her dungeon with the clamors of the examination-room, where perhaps a dozen eager questioners would bait her at once, she never faltered through all those weary weeks.*

* Procès, pp. 468, 472, 473, 476, 486, 487, 489, 501.—L'Averdy, pp. 107, 895.

In this she was sustained by the state of habitual spiritual exaltation resulting from the daily and nightly visions with which she was favored, and the unalterable conviction that she was the chosen of the Lord, under whose inspiration she acted and whose will she was prepared to endure with resignation. In her prison her ecstatic raptures seem to have become more frequent than ever. Her heavenly visitants came at her call, and solved her difficulties. Frequently she refused to answer questions until she could consult her Voices and learn whether she was permitted to reveal what was wanted, and then, at a subsequent hearing, she would say that she had received permission. The responses evidently sometimes varied with her moods. She would be told that she would be delivered with triumph, and then again be urged not to mind her martyrdom, for she would reach paradise. When she reported this she was cunningly asked if she felt assured of salvation, and on her saying that she was as certain of heaven as if she was already there, she was led on with a question whether she held that she could not commit mortal sin. Instinctively she drew back from the dangerous ground—"I know nothing about it; I depend on the Lord." *

Finally, on one important point her judges succeeded in entrapping her. She was warned that if she had done anything contrary to the faith she must submit herself to the determination of the Church. To her the Church was represented by Cauchon and his tribunal; to submit to them would be to pronounce her whole life a lie, her intercourse with saints and angels an invocation of demons, herself a sorceress worthy of the stake, and only to escape it through the infinite mercy of her persecutors. She offered to submit to God and the saints, but this, she was told, was the Church triumphant in heaven, and she must submit to the Church militant on earth, else she was a heretic, to be inevitably abandoned to the secular arm for burning. Taking advantage of her ignorance, the matter was pressed upon her in the most absolute form. When asked if she would submit to the pope she could only say, "Take me to him and I will answer to him." At last she was brought to admit that she would submit to the Church, provided it did not command what was impossible; but, when asked to de-

* Procès, p. 487.

fine the impossible, it was to abandon doing what the Lord had commanded, and to revoke what she had asserted as to the truth of her visions. This she would submit only to God.*

The examinations up to March 27 had been merely preparatory. On that day the formal trial commenced by reading to Joan a long series of articles of accusation based upon the information obtained. A lively debate ensued among the experts, but at last it was decided that she must answer them *seriatim* and on the spot, which she did with her wonted clearness and intrepidity, declining the offer of counsel, which Cauchon proposed to select for her. Sundry further interrogatories followed; then her sickness delayed the proceedings, and on May 12, twelve members of the tribunal assembled in Pierre Cauchon's house to determine whether she should be subjected to torture. Fortunately for the reputation of her judges this infamy was spared her. One of them voted in favor of torture to see whether she could be forced to submit to the Church; another, the spy, Nicholas l'Oyseleur, humanely urged it as a useful medicine for her; nine were of opinion either that it was not yet required, or that the case was clear enough without it; Cauchon himself apparently did not vote. Meanwhile a secret

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* Procès, pp. 489, 491, 494, 495, 499, 500, 501.

When, in 1456, the memory of Joan was rehabilitated, and the sentence condemning her was pronounced null and void, it was of course necessary to show that she had not refused to submit to the Church. Evidence was furnished to prove that Nicholas l'Oyseleur, in whom she continued to have confidence, secretly advised her that she was lost if she submitted herself to the Church; but that Jean de la Fontaine, another of the assessors, visited her in prison with two Dominicans, Isambard de la Pierre and Martin l'Advenu, and explained to her that at the Council of Basle, then sitting, there were as many of her friends as of enemies, and at the next hearing, on March 30, Frère Isambard de la Pierre openly repeated the suggestion, in consequence of which she offered to submit to it, and also demanded to be taken to the pope, all of which Cauchon forbade to be inserted in the record, and but for the active intervention of Jean le Maître, the inquisitor, all three would have incurred grave peril of death (L'Averdy, pp. 476–7.—Le Brun de Charmettes, IV. 8–13.—Buchon, pp. 518–19). The rehabilitation proceedings are quite as suspect as those of the trial; every one then was anxious to make a record for himself and to prove that Joan had been foully dealt with. As late as the nineteenth interrogatory, on March 27, 1431, Jean de la Fontaine was one of those who voted in favor of the most rigorous dealings with Joan (Procès, p. 495).

junto, selected by Cauchon, had reduced the articles of accusation to twelve, which, though grossly at variance with the truth, were assumed to have been fully proved or confessed, and these formed the basis of the subsequent deliberations and sentence. We have seen, in the case of Marguerite la Porete, that the Inquisition of Paris, in place of calling an assembly of experts, submitted to the canonists of the University a written statement of what was assumed to be proved, and that the opinion rendered on this, although conditioned on its being a true presentation of the case, was equivalent to a verdict. This precedent was followed in the present case. Copies of the articles were addressed to fifty-eight learned experts, in addition to the Chapter of Rouen and the University of Paris, and their opinions were requested by a certain day. Of all those appealed to, the University was by far the most important, and a special mission was despatched to it bearing letters from the royal council and the Bishop of Beauvais. In view of the tendencies of the University this might seem a superfluous precaution, and its adoption shows how slender was the foundation on which the whole prosecution was based. The University went through an elaborate form of deliberation, and caused the faculties of theology and law to draw up its decision, which was adopted May 14 and sent to Rouen.*

On May 19 the assessors were assembled to hear the report from the University, after which their opinions were taken. Some were in favor of immediate abandonment to the secular arm, which would have been strictly in accordance with the regular inquisitorial proceedings, but probably the violent assumption that the articles represented truthfully Joan's admissions was too much for some of the assessors, and the milder suggestion prevailed that Joan should have another hearing, in which the articles should be read to her, with the decision of the University, and that the verdict should depend upon what she should then say. Accordingly, on May 23, she was again brought before the tribunal for the purpose. A brief abstract of the document read to her will show, from the triviality of many of the charges and the guilt ascribed to them, how conviction was predetermined. The University, as

* Procès, pp. 496–8, 502.—L'Averdy, pp. 33, 50.—Le Brun de Charmettes, IV. 62–3, 94–5.

usual, had guarded itself by conditioning its decision on the basis of the articles being fully proved, but no notice was taken of this. and Joan was addressed as though she had confessed to the articles and had been solemnly condemned.

I. The visions of angels and saints.—These are pronounced superstitious and proceeding from evil and diabolical spirits.

II. The sign given to Charles of the crown brought to him by St. Michael.—After noting her contradictions, the story is declared a lie, and a presumptuous, seductory, and pernicious thing, derogatory to the dignity of the angelic Church.

III. Recognizing saints and angels by their teaching and the comfort they bring, and believing in them as firmly as in the faith of Christ.—Her reasons have been insufficient, and her belief rash; comparing faith in them to faith in Christ is an error of faith.

IV. Predictions of future events and recognition of persons not seen before through the Voices.—This is superstition and divination, presumptuous assertion, and vain boasting.

V. Wearing men's clothes and short hair, taking the sacrament while in them, and asserting that it is by command of God.—This is blaspheming God, despising his sacraments, transgressing the divine law, holy writ, and canonical ordinances, wherefore, "thou savorest ill in the faith, thou boastest vainly and art suspect of idolatry, and thou condemnest thyself in not being willing to wear thy sex's garments and in following the customs of the heathen and Saracen."

VI. Putting Jesus, Maria, and the sign of the cross on her letters, and threatening that if they were not obeyed that she would show in battle who had the best right.—"Thou art murderous and cruel, seeking effusion of human blood, seditious, provoking to tyranny, and blaspheming God, his commandments and revelations."

VII. Rendering her father and mother almost crazy by leaving them; also promising Charles to restore his kingdom, and all by command of God.—"Thou hast been wicked to thy parents, transgressing the commandment of God to honor them. Thou hast been scandalous, blaspheming God, erring in the faith, and hast made a rash and presumptuous promise to thy king."

VIII. Leaping from the tower of Beaurevoir into the ditch and preferring death to falling into the hands of the English, after the

Voices had forbidden it.—This was pusillanimity, tending to desperation and suicide; and in saying that God had forgiven it, "thou savorest ill as to human free-will."

IX. Saying that St. Catharine and St. Margaret had promised her paradise if she preserved her virginity, feeling assured of it, and asserting that if she were in mortal sin they would not visit her.—"Thou savorest ill as to the Christian faith."

X. Saying that St. Catharine and St. Margaret spoke French and not English because they were not of the English faction, and that, after knowing that these Voices were for Charles, she had not loved the Burgundians.—This is a rash blasphemy against those saints and a transgression of the divine command to love thy neighbor.

XI. Reverencing the celestial visitants and believing them to come from God without consulting any churchman; feeling as certain of it as of Christ and the Passion; and refusing to reveal the sign made to Charles without the command of God.—"Thou art an idolater, an invoker of devils, erring in the faith, and hast rashly made an illicit oath."

XII. Refusing to obey the mandate of the Church if contrary to the pretended command of God, and rejecting the judgment of the Church on earth.—"Thou art schismatic, believing wrongly as to the truth and authority of the Church, and up to the present time thou errest perniciously in the faith of God." *

Maître Pierre Maurice, who read to her this extraordinary document, proceeded to address her with an odious assumption of kindness as "*Jehanne ma chere amie*," urging her earnestly and argumentatively to submit herself to the judgment of the Church, without which her soul was sure of damnation, and he had shrewd fears for her body. She answered firmly that if the fire was lighted and the executioner ready to cast her in the flames she would not vary from what she had already said. Nothing remained but to cite her for the next day to receive her final sentence.†

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* Procès, pp. 503–5.—L'Averdy, pp. 56–97.

† Le Brun de Charmettes, IV. 102–4, 106.—Procès, p. 506.

In considering the verdict of the University and the Inquisition it must be borne in mind that visions of the Saviour, the Virgin, and the Saints were almost every-day occurrences, and were recognized and respected by the Church. The

On the 24th preparations for an *auto de fé* were completed in the cemetery of St. Ouen. The pile was ready for lighting, and on two scaffolds were assembled the Cardinal of Beaufort and other dignitaries, while on a third were Pierre Cauchon, Jean le Maître, Joan, and Maître Guillaume Erard, who preached the customary sermon. In his eloquence he exclaimed that Charles VII. had been proved a schismatic heretic, when Joan interrupted him, "Speak of me, but not of the king; he is a good Christian!" She maintained her courage until the sentence of relaxation was partly read, when she yielded to the incessant persuasion mingled with threats and promises to which she had been exposed since the previous night, and she signified her readiness to submit. A formula of abjuration was read to her, and after some discussion she allowed her hand to be guided in scratching the sign of the cross, which represented her signature. Then another sentence, prepared in advance, was pronounced, imposing on her, as a matter of course, the customary penance of perpetual imprisonment on bread and water. Vainly she begged for an ecclesiastical prison. Had Cauchon wished it he was powerless, and he ordered the guards to conduct her back whence she came.*

The English were naturally furious on finding that they had overreached themselves. They could have tried Joan summarily in a secular court for sorcery and burned her out of hand, but to

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spiritual excitability of the Middle Ages brought the supernatural world into close relations with the material. For a choice collection of such stories see the Dialogues of Cæsarius of Heisterbach. As a technical point of ecclesiastical law, moreover, Joan's visions had already been examined and approved by the prelates and doctors at Chinon and Poitiers, including Pierre Cauchon's metropolitan, Renaud, Archbishop of Reims.

* Procès, pp. 508–9.—Journal d'un Bourgeois de Paris, an 1431.—Le Brun de Charmettes, IV. 110–41.

There are two forms of abjuration recorded as subscribed by Joan; one brief and simple, the other elaborate (Procès, p. 508; Le Brun de Charmettes, IV. 135–7). Cauchon has been accused of duplicity in reading to her the shorter one and substituting the other for her signature. She subsequently complained that she had never promised to abandon her male attire—a promise which was contained in the longer but not in the shorter one. Much has been made of this, but without reason. The short abjuration is an unconditional admission of her errors, a revocation and submission to the Church, and was as binding and effective as the other.

obtain possession of her they had been obliged to call in the ecclesiastical authorities and the Inquisition, and they were too little familiar with trials for heresy to recognize that inquisitorial proceedings were based on the assumption of seeking the salvation of the soul and not the destruction of the body. When they saw how the affair was going a great commotion arose at what they inevitably regarded as a mockery. Joan's death was a political necessity, and their victim was eluding them though in their grasp In spite of the servility which the ecclesiastics had shown, they were threatened with drawn swords and were glad to leave the cemetery of St. Ouen in safety.*

In the afternoon Jean le Maître and some of the assessors visited her in her cell, representing the mercy of the Church and the gratitude with which she should receive her sentence, and warning her to abandon her revelations and follies, for if she relapsed she could have no hope. She was humbled, and when urged to wear female apparel she assented. It was brought and she put it on; her male garments were placed in a bag and left in her cell.†

What followed will never be accurately known. The reports are untrustworthy and contradictory—mere surmises, doubtless—and the secret lies buried in the dungeon of Rouen Castle. The brutal guards, enraged at her escape from the flames, no doubt abused her shamefully; perhaps, as reported, they beat her, dragged her by the hair, and offered violence to her, till at last she felt that her man's dress was her only safety. Perhaps, as other stories go, her Voices reproached her for her weakness, and she deliberately resumed it. Perhaps, also, Warwick, resolved to make her commit an act of relapse, had her female garments removed at night, so that she had no choice but to resume her male apparel. The fact that it was left within her reach and not conveyed away shows at least that there was a desire to tempt her to resume it. Be this as it may, after wearing her woman's dress for two or three days word was brought to her judges that she had relapsed and abandoned it. On May 28 they hastened to her prison to verify the fact. The incoherence of her replies to their examination shows how she was breaking down under the fearful

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*Le Brun de Charmettes, IV. 141.

† Procès, pp. 508–9.—Le Brun de Charmettes, IV. 147.

stress to which she had been subjected. First she merely said that she had taken the dress; then that it was more suitable since she was to be with men; nobody had compelled her, but she denied that she had sworn not to resume it. Then she said that she had taken it because faith had not been kept with her—she had been promised that she should hear mass and receive the sacrament, and be released from her chains; she would rather die than be kept in fetters—could she hear mass and be relieved of her irons she would do all that the Church required. She had heard the Voices since her abjuration, and had been told that she had incurred damnation by revoking to save her life, for she had only revoked through dread of the fire. The Voices are of St. Catharine and St. Margaret, and come from God: she had never revoked that, or, if she had, it was contrary to truth. She had rather die than endure the torture of her captivity, but if her judges wish she will resume the woman's dress; as for the rest she knows nothing more.*

These rambling contradictions, these hopeless ejaculations of remorse and despair, so different from her former intrepid self-confidence, show that the jailers had understood their work, and that body and soul had endured more than they could bear. It was enough for the judges; she was a self-confessed relapsed, with whom the Church could have nothing more to do except to declare her abandoned to the secular arm without further hearing. Accordingly, the next day, May 29, Cauchon assembled such of his assessors as were at hand, reported to them how she had relapsed by resuming male apparel and declaring, through the suggestion of the devil, that her Voices had returned. There could be no question as to her deserts. She was a relapsed, and the only discussion was on the purely formal question, whether her abjuration should be read over to her before her judges abandoned her to the secular arm. A majority of the assessors were in favor of this, but Cauchon and le Maître disregarded the recommendation.†

At dawn on the following day, May 30, Frère Martin l'Advenu and some other ecclesiastics were sent to her prison to inform her

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* Procès, p. 508.—Le Brun de Charmettes, IV. 166–70.—L'Averdy, p. 506.

† Procès, p. 509.—Le Brun de Charmettes, IV. 175–8.

of her burning that morning. She was overcome with terror, threw herself on the ground, tore her hair and uttered piercing shrieks, declaring, as she grew calmer, that it would not have happened had she been placed in an ecclesiastical prison, which was an admission that only the brutality of her dungeon had led her to revoke her abjuration. She confessed to l'Advenu and asked for the sacrament. He was puzzled and sent for instructions to Cauchon, who gave permission, and it was brought to her with all due solemnity. It has been mistakenly argued that this was an admission of her innocence, but the sacrament was never to be denied to a relapsed who asked for it at the last moment, the mere asking, preceded by confession, being an evidence of contrition and desire for reunion to the Church.*

The platform for the sermon and the pile for the execution had been erected in the Viel Marché. Thither she was conveyed amid a surging crowd which blocked the streets. It is related that on the way Nicholas l'Oyseleur, the wretched spy, pierced the crowd and the guards and leaped upon the tumbril to entreat her forgiveness, but before she could grant it the English dragged him off and would have slain him had not Warwick rescued him and sent him out of Rouen to save his life. On the platform Nicholas Midi preached his sermon, the sentence of relaxation was read, and Joan was handed over to the secular authorities. Cauchon, le Maître, and the rest left the platform, and the Bailli of Rouen took her and briefly ordered her to be carried to the place of execution and burned. It has been assumed that there was an informality in not having her sentenced by a secular court, but this, as we have seen, was unnecessary, especially in the case of a relapsed. On her head was placed a high paper crown inscribed "Heretic, Relapsed, Apostate, Idolator," and she was carried to the stake. One account states that her shrieks and lamentations moved the crowd to tears of pity; another that she was resigned and composed, and that her last utterance was a prayer. When her clothes

* Le Brun de Charmettes, IV. 130–4.—L'Averdy, p. 488, 493 sqq.

A week after Joan's execution a statement was drawn up by seven of those present in her cell to the effect that she acknowledged that her Voices had deceived her and begged pardon of the English and Burgundians for the evil she had done them, but this is evidently manufactured evidence, and does not even bear a notarial attestation.—Le Brun de Charmettes, IV. 220–5.

were burned off the blazing fagots were dragged aside, that the crowd might see, from her blackened corpse, that she really was a woman, and when their curiosity was satisfied the incineration was completed, the ashes being thrown into the Seine.*

It only remained for those who had taken part in the tragedy to justify themselves by blackening the character of their victim and circulating false reports as to the proceedings. That the judges felt that, in spite of sheltering themselves behind the University of Paris, they had incurred dangerous responsibility is shown by their obtaining royal letters shielding them from accountability for what they had done, the king pledging himself to constitute himself a party in any prosecution which might be brought against them before a general council or the pope. That the regency felt that justification was needed in the face of Europe is seen in the letters which were sent to the sovereigns and the bishops in the name of Henry VI., explaining how Joan had exercised inhuman cruelties until the divine power had in pity to the suffering people caused her capture; how, though she could have been punished by the secular courts for her crimes, she had been handed to the Church, which had treated her kindly and benignantly, and on her confession had mercifully imposed on her the penance of imprisonment; how her pride had burst forth in pestilential flames, and she had relapsed into her errors and madness; how she had then been abandoned to the secular arm, and, finding her end approaching, had confessed that the spirits which she invoked were false and lying, and that she was deceived and mocked by them, and how she had finally been burned in sight of the people. This official lying was outdone by the reports which were industriously circu-

* Le Brun de Charmettes, IV. 188-210.—Procès, pp. 509-10.—Journal d'un Bourgeois de Paris, au 1431.

When the excitement which led to Joan's condemnation passed away, and she was found to have been a useless victim, there was an effort made to shift the responsibility from the ecclesiastical to the secular authorities: it was claimed that there had been an irregularity in her execution without a formal judgment in the lay court. Two years afterwards, Louis de Luxembourg, then Archbishop of Rouen, and Guillaume Duval, vicar of the inquisitor, condemned for heresy a certain Georges Solenfant, and in delivering him to the Bailli of Rouen they gave instructions that he should not be put to death, as Joan had been, without a definitive judgment, in consequence of which there was a form of sentencing him.—L'Averdy, p. 498.

lated about her and her trial. The honest Bourgeois of Paris, in entering her execution in his journal, details the offences for which she was condemned, mixing up with the real articles others showing the exaggerations which were industriously circulated. According to him she habitually rode armed with a great staff with which she cruelly beat her people when they displeased her, and in many places she pitilessly slew men and women who disobeyed her; once, when violence was offered her, she leaped from the top of a lofty tower without injury, and boasted that, if she chose, she could bring thunder and other marvels. He admits, however, that even in Rouen there were many who held her to be martyred for her lawful lord.* It evidently was felt that in her dreadful death she had fitly crowned her career, and that sympathy for her fate was continuing her work by arousing popular sentiment, for, more than a month later, on July 4, an effort was made to counteract it by a sermon preached in Paris by a Dominican inquisitor—probably our friend Jean le Maître himself. At great length he expatiated on her deeds of wickedness, and the mercy which had been shown her. She had confessed that from the age of fourteen she had dressed like a man, and her parents would have killed her could they have done so without wounding their consciences. She had therefore left them, accompanied by the devil, and had thenceforth lived by the homicide of Christians, full of fire and blood, till she was burned. She recanted and abjured, and would have had as penance four years' prison on bread and water, but she did not suffer this a single day, for she had herself served in prison like a lady. The devil appeared to her with two demons, fearing greatly that he would lose her, and said to her, "Wicked creature, who through fear hast abandoned thy dress, be not afraid, for we will protect thee from all." Then at once she disrobed and dressed herself in her male attire, which she had thrust in the straw of her bed, and she so trusted in Satan that she said she repented of hav-

* Journal d'un Bourgeois de Paris, an 1431.—August 8, 1431, a monk named Jean de la Pierre was brought before Cauchon and le Maître charged with having spoken ill of the trial of Joan. This was a perilous offence when the Inquisition was concerned. He asked pardon on his knees, and excused himself on the ground that it was at table after taking too much wine. He was mercifully treated by imprisonment on bread and water in the Dominican convent until the following Easter.—L'Averdy, p. 141.

ing abandoned it. Then, seeing that she was obstinate, the masters of the University delivered her to the secular arm to be burned, and when she saw herself in this strait she called on the devils, but after she was judged she could not bring them by any invocation. She then thought better of it, but it was too late. The reverend orator added that there were four of them, of whom we have caught three, this Pucelle, and Péronne and her companion, and one who is with the Armagnacs, named Catharine de la Rochelle, who says that when the host is consecrated she sees wonders of the highest secrets of the Lord.*

This last allusion is to certain imitators of Joan. The impression which she produced on the popular mind inevitably led to imitation, whether through imposture or genuine belief. The Péronne referred to was an old woman of Britanny who, with a companion, was captured at Corbeil, in March, 1430, and brought to Paris. She not only asserted that Joan was inspired, but swore that God often appeared to her in human form, with a white robe and vermilion cape, ordering her to assist Joan, and she admitted having received the sacrament twice in one day—Frère Richard being the person who had given it to her at Jargeau. The two were tried by the University; the younger woman recanted, but Péronne was obstinate, and was burned September 3. Catharine de la Rochelle was another of the *protegées* of the impressionable Frère Richard, who was much provoked with Joan for refusing to countenance her. She came to Joan at Jargeau and again at Montfaucon in Berri, saying that every night there appeared to her a white woman clad in cloth-of-gold, telling her that the king would give her horses and trumpets, and she would go through the cities proclaiming that all who had money or treasure should bring it forth to pay Joan's men, and if they concealed it she would discover all that was hidden. Joan's practical sense was not to be allured by this proposition. She told Catharine to go home to her husband and children, and on asking counsel of her Voices was told that it was all folly and falsehood. Still, she wrote to the king on the subject and accepted Catharine's offer to exhibit to her the nightly visitant. The first night Joan fell

* Le Brun de Charmettes, IV. 238-40.—L'Averdy, p. 269.—Monstrelet, II. 105.—Journal d'un Bourgeois de Paris, an 1431.

asleep and was told on waking that the apparition had shown itself during her slumber. Then she took a precautionary sleep during the day, and lay awake all night without seeing the white lady. Catharine was probably an impostor rather than an enthusiast, and seems to have escaped the Inquisition.*

During Joan's imprisonment her place for a time was taken by a peasant, variously known as Pastourel or Guillaume le Berger, who professed to have had divine revelations ordering him to take up arms in aid of the royal cause. He demonstrated the truth of his mission by exhibiting stigmata on hands, side, and feet, like St. Francis, and commanded wide belief. Pothon de Xaintrailles, Joan's old companion-in-arms, placed confidence in him and carried him along in his adventurous forays. Guillaume's career, however, was short. He accompanied an expedition into Normandy under the lead of the Maréchal de Boussac and Pothon, which was surprised and scattered by Warwick. Pothon and the shepherd were both captured and carried in triumph to Rouen. Experience of inquisitorial delays in the case of Joan probably caused the English to prefer more summary methods, and the unlucky prophet was tossed into the Seine and drowned without a trial. His sphere of influence had been too limited to render him worth making a conspicuous example.†

Thus Joan passed away, but the spirit which she had aroused was beyond the reach of bishop or inquisitor. Her judicial murder was a useless crime. The Treaty of Arras, in 1435, withdrew Burgundy from the English alliance, and one by one the conquests of Henry V. were wrenched from the feeble grasp of his son. When, in 1449, Charles VII. obtained possession of Rouen he ordered an inquest on the spot into the circumstances of her trial, for it ill comported with the dignity of a King of France to owe his throne to a witch condemned and burned by the Church. The time had not come, however, when a sentence of the Inquisition could be set aside by secular authority, and the attempt was abandoned.

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* Journal d'un Bourgeois de Paris, an 1430.— Nider Formicar. v. viii.— Procès, p. 480.

† Monstrelet, II. 101.—Journal d'un Bourgeois, an 1431.—Mémoires de Saint-Remy ch. 172.—Abrégé de l'Hist. de Charles VII. (Godefroy, p. 384).

In 1452 another effort was made by Archbishop d'Estouteville of Rouen, but though he was a cardinal and a papal legate, and though he adjoined in the matter Jean Brehal, Inquisitor of France, he could do nothing beyond taking some testimony. The papal intervention was held to be necessary for the revision of a case of heresy decided by the Inquisition, and to obtain this the mother and the two brothers of Joan appealed to Rome as sufferers from the sentence. At length, in 1455, Calixtus III. appointed as commissioners to hear and judge their complaints the Archbishop of Rouen, the Bishops of Paris and Coutances, and the Inquisitor Jean Brehal. Isabelle Darc and her sons appeared as plaintiffs against Cauchon and le Maître, and the proceedings were carried on at their expense. Cauchon was dead and le Maître in hiding—concealed probably by his Dominican brethren, for no trace of him could be found. Although the University of Paris does not appear in the case, every precaution was taken to preserve its honor by emphasizing at every stage the fraudulent character of the twelve articles submitted to its decision, and in the final judgment special care was taken to characterize them as false and to order them to be judicially torn to pieces, though it may well be doubted whether they were any more deceptive than innumerable reports made habitually by inquisitors to their assemblies of experts. Finally, on July 7, 1456, judgment was rendered in favor of the complainants, who were declared to have incurred no infamy; the whole process was pronounced to be null and void; the decision was ordered to be published in Rouen and all other cities of the kingdom; solemn processions were to be made to the place of her abjuration and that of her execution, and on the latter a cross was to be erected in perpetual memory of her martyrdom. In its restored form it still remains there as a memorial of the utility of the Inquisition as an instrument of statecraft.*

* Le Brun de Charmettes, Liv. xv.

CHAPTER VI.

SORCERY AND OCCULT ARTS.

Few things are so indestructible as a superstitious belief once fairly implanted in human credulity. It passes from one race to another and is handed down through countless generations; it adapts itself successively to every form of religious faith; persecution may stifle its outward manifestation, but it continues to be cherished in secret, perhaps the more earnestly that it is unlawful. Religion may succeed religion, but the change only multiplies the methods by which man seeks to supplement his impotence by obtaining control over supernatural powers, and to guard his weakness by lifting the veil of the future. The sacred rites of the superseded faith become the forbidden magic of its successor. Its gods become evil spirits, as the Devas or deities of the Veda became the Daevas or demons of the Avesta; as the bull-worship of the early Hebrews became idolatry under the prophets, and as the gods of Greece and Rome were malignant devils to the Christian Fathers.

Europe thus was the unhappy inheritor of an accumulated mass of superstitions which colored the life and controlled the actions of every man. They were vivified with a peculiar intensity by the powerful conception of the Mazdean Ahriman—the embodiment of the destructive forces of nature and the evil passions of man—which, transfused through Judaism and adorned with the imaginings of the Haggadah, became a fixed article of the creed as the fallen prince of angels, Satan, who drew with him in rebellion half of the infinite angelic hosts, and thenceforth devoted powers inferior only to those of God himself to the spiritual and material perdition of mankind. Omnipresent, and well-nigh omnipotent and omniscient, Satan and his demons were ever and everywhere at work to obtain, by cunning arts, control over the souls of men, to cross their purposes, and to vex their bodies. The

food of these beings was the suffering of the damned, and human salvation their most exquisite torment. To effect their objects human agents were indispensable, and Satan was always ready to impart a portion of his power, or to consign a subordinate demon, to any one who would serve him. Thus a dualistic system sprang up, less hopeful and inspiring than that of Zarathustra Spitama, which in its vivid realization of the ever-present and ever-acting Evil Principle, cast a sombre shadow over the kindly teachings of Christ. Some even held that human affairs were governed by demons, and this belief grew sufficiently prevalent to induce Chrysostom to undertake its refutation. He admitted that they were inspired with a fierce and irreconcilable hatred for man, with whom they carried on an immortal war, but he argued that the evil of the world was the just punishment inflicted by God.*

Man thus lived surrounded by an infinite world of spirits, good and bad, whose sole object was his salvation or his perdition, and who were ever on the watch to save him or to lure him to destruction. Thus was solved the eternal problem of the origin of evil, which has perplexed the human soul since it first began to think, and thus grew up a demonology of immense detail which formed part of the articles of faith. Almost every race has shared in such belief, whether the evil spirits were of supernatural origin, as with the Mazdeans and Assyrians, or whether, as with the Buddhists and Egyptians, they were the souls of the damned seeking to gratify their vindictiveness. Although Greece and Rome had no such distinctive class, yet had they peopled the world with a countless number of genii and inferior supernatural beings, who were accepted by Christianity and placed at the service of Satan. As theology grew to be a science in which every detail of the dealings of God with man was defined with the most rigid precision, it became necessary to determine the nature and functions of the spirit world with exactitude, and the ardent intellects which framed the vast structure of orthodoxy did not shrink from the

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* Minuc. Felicis Octavius (Mag. Bib. Pat. Ed. 1618, III. 7, 8).—Tertull. de Idololat. x.—Lactant. Divin. Instit. II. 9.—Augustin. de vera Relig. c. 13, c. 40 No. 75; De Genesi ad Litt. xi. 13, 17, 22, 27; Sermon. Append. No. 278 (Edit. Benedict.).—Gregor. PP. I. Moral. in Job IV. 13, 17, 32.—Chrysostom. de Imbecillitate Diaboli Homil. I. No. 6.

task. The numberless references to the character and attributes of demons in patristic literature show how large a space the subject occupied in the thoughts of men and the confidence which was felt in the accuracy of knowledge concerning it.*

Origen informs us that every man is surrounded by countless spirits eager to help or harm him. His virtues and good deeds are attributable to good angels; his sins and crimes are the work of demons of pride and lust and wrath, and of all passions and vices. Powerful as these are, however, the human soul is still superior to them and can destroy their capacity for evil; if a holy man baffles the spirit of lust who has tempted him, the conquered demon is cast into outer darkness or into the abyss, and loses his potency forever. This was received throughout the Middle Ages as orthodox doctrine. Gregory the Great tells us how the nun of a convent, walking in the garden, ate a lettuce-leaf without making the cautionary sign of the cross, and was immediately possessed of a demon. St. Equitius tortured the spirit with his exorcisms till the unhappy imp exclaimed, "What have I done? I was sitting on the leaf and she ate me;" but Equitius would listen to no excuse and forced him to depart. Cæsarius of Heisterbach relates a vast number of cases proving the perpetual interference of demons with human affairs, though he asserts as a well-known fact that Satan drew with him only one tenth of the hosts of heaven, and he proceeds to show, on the authority of Gregory the Great, that at the Day of Judgment the saved will be nine times as numerous as the devils, and of course the damned greatly more in excess; yet at the death-bed of a monk of Hemmenrode fifteen thousand demons gathered together, and at that of a Benedictine abbess more assembled than there are leaves in the forest of Kottinhold. Thomas of Cantimpré, though less profuse in his illustrative examples, is equally emphatic in showing that man is surrounded with evil spirits, who lose no opportunity to tempt, to seduce, to mislead, and to vex him. The blessed Reichhelm, Abbot of Schöngau, about 1270, had received from God the gift of being

* Minuc. Felic. loc. cit.—Tertull. Apol. adv. Gentes c. 22.—Lactant. Divin. Instit. v. 22.—Testam. XII. Patriarch. I. 2–3.—Augustin. de Divin. Dæmon. c. 3, 4, 5, 6; de Civ. Dei xv. 23, xxi. 10; Enarrat. in Psalm. 61, 63.—Isidor. Hispalens. Lib. de Ord. Creatur. c. 8.

able to discern the aerial bodies of these creatures, and often saw them as a thick dust or as motes in a sunbeam, or as thickly falling rain. He describes their numbers as so great that the atmosphere is merely a crowd of them; all material sounds, water falling, stones clashing, winds blowing, are their voices. Sometimes they would materialize as a woman to tempt him, or as a huge cat or a bear to terrify him, but their efforts were mostly directed to diverting the thoughts from pious duties and contemplations, and to inciting to evil passions, which they could well do, as an innumerable army was assigned to each individual man. These enemies of man were ever on the watch to take advantage of every unguarded thought or act. Sprenger tells us that if an impatient husband says to a pregnant wife, "Devil take you," the child will be subject to Satan; such children, he says, are often seen; five nurses will not satisfy the appetite of one, and yet they are miserably emaciated, while their weight is great. Thus man was at all times exposed to the assaults of supernatural enemies, striving to lead him to sin, to torture his body with disease, or to afflict him with material damage. We cannot understand the motives and acts of our forefathers unless we take into consideration the mental condition engendered by the consciousness of this daily and hourly personal conflict with Satan.*

It is true that all demons were not equally malignant. The converted Barbarians of Europe could not wholly give up their belief in helpful spirits, and as Christianity classed them all as devils, it was necessary to find an explanation by suggesting that their characters varied with the amount of pride and envy of God which they entertained before the fall. Those who merely followed their companions and have repented are not always mali-

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* Origen. sup. Jesu Nave Homil. xv. 5, 6.—Ivon. Carnotens. Decret. xi. 106.—Pselli de Operat. Dæmon. Dial.—Gregor. PP. I. Dial. i. 4.—Cæsar. Heisterb. Dial. Dist. iv., v., xi. 17, xii. 5.—B. Richalmi Lib. de Insid. Dæmon. (Pez Thesaur. Anecd. I. ii. 376).—S. Hildegardæ Epist. 67 (Martene Ampl. Coll. II. 1100).—Mall. Maleficar. P. ii. Q. 1, c. 3.

It was not every one who, like St. Francis, when demons were threatening to torment him, could coolly welcome them, saying that his body was his worst enemy, and that they were free to do with it whatever Christ would permit—a view of the case which so abashed them that they incontinently departed.—Amoni, Legenda S. Francisci, Append. c. liii.

cious. Cæsarius tells us of one who faithfully served a knight for a long while, saved him from his enemies, and cured his wife of a mortal illness by fetching from Arabia lion's milk with which to anoint her. This aroused the knight's suspicions, and the demon confessed, explaining that it was a great consolation to him to be with the children of men. Fearing to retain such a servitor, the knight dismissed him, offering half of his possessions as a reward, but the demon would accept only five sous, and these he returned, asking the knight to purchase with them a bell and hang it on a certain desolate church, that the faithful might be called to divine service on Sundays. Froissart's picturesque narrative is well known of the demon Orton, who served the Sieur de Corasse out of pure love, bringing to him every night tidings of events from all parts of the world, and finally abandoning him in consequence of his imprudent demand to see his nocturnal visitor. Froissart himself was at Ortais in 1385, when the Count of Foix miraculously had news of the disastrous battle of Aljubarotta in Portugal the day after it occurred, and the courtiers explained that he heard of it through the Sieur de Corasse. Thus, for good or for evil, the barriers which divided the material from the spiritual world were slight, and intercourse between them was too frequent to excite incredulity.*

It was inevitable that this facility of intercourse should encourage belief in the Incubi and Succubi who play so large a part in mediæval sorcery, for such a belief has belonged to superstition in all ages. The Akkads had their Telal and Kiel-Telal, the Assyrians their Lil and Lilit, and the Gauls their Dusii, lustful spirits of either sex who gratified their passions with men and women, while the Welsh legends of the Middle Ages show the continuance of the belief among the Celtic tribes. The Egyptians drew a distinction and admitted of Incubi but not of Succubi. The Jews accepted the text concerning the sons of God and daughters of men (Gen. vi. 1) as proving that fruitful intercourse could occur between spiritual and human beings, and they had their legends of the evil spirit Lilith, the first wife of Adam, who bore to him the innumerable multitude of demons. The anthropomorphic mythology and hero-worship of Greece consisted of little else, and the

* Cæsar. Heisterb. III. 26, V. 9, 10, 35, 36.—Froissart, III. 22.

name of Satyr has passed into a proverb. The simpler and purer Latin pantheon had yet its Sylvans and Fauns, who, as St. Augustin tells us, "are commonly called Incubi." The medical faculty in vain explained the belief by Ephialtes or nightmare, and recommended for it belladonna rather than exorcisms. Though St. Augustin, who did so much to transmit pagan superstitions to succeeding ages, hesitates to believe in the possibility of such powers on the part of aerial spirits, even he dares not deny it, and though Chrysostom ridiculed it, other authorities accepted it as a matter of course. Thus it came to be received as a truth which few thought of disputing. In 1249 an incubus child was born on the Welsh marches, which in half a year had a full set of teeth and the stature of a youth of seventeen, while the mother wasted away and died. The belief grew still more definite as perfected processes of trial enabled judges to extort from their victims whatever confessions they desired, such as that of Angèle de la Barthe, who, in the Toulousain in 1275, admitted that she had habitual intercourse with Satan, to whom, seven years before, at the age of fifty-three, she had borne a son—a monster with a wolf's head and a serpent's tail, which she fed for two years on the flesh of year-old babies whom she stole by night, after which it disappeared; or those of the witches of Arras, in 1460, who were brought to confess that their demon lovers wore the shapes of hares, or foxes, or bulls. Innocent VIII. asserts the existence of such connections in the most positive manner, and Silvester Prierias declares that to deny it is both unorthodox and unphilosophical, and could only be prompted by sheer wantonness.*

Liaisons of this kind would be entered into with demons, and

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* Fr. Lenormant, La Magie chez les Chaldéens, p. 36.—Plutarch. vit. Numæ, IV.—Joseph. Antiq. Jud. I. 3.—Augustin. de Civ. Dei III. 5; XV. 23.—Gualt. Mapes de Nugis Curialium Dist. II. c. xi., xii., xiii.—Paul. Æginet. Instit. Med. III. 15.—Chrysost. Homil. in Genesim XXII., No. 2.—Clem. Alexand. Stromat. Libb. III., V. (Ed. Sylburg. pp. 450, 550).—Tertull. Apol. adv. Gentes, c. xxii.; De Carne Christi c. vi., xiv.—Hincmar. de Divort. Lothar. Interrog. XV.—Guibert. Noviogent. de Vita sua Lib. III. c. 19.—Cæsar. Heisterb. III. 8, 11, 13.—Gervas. Tilberien. Otia Imp. Decis. III. c. 86.—Matt. Paris. ann. 1249 (p. 514).—Chron. Bardin. (Vaissette, IV. Pr. 5).—Mémoires de Jacques Du Clercq, Liv. IV. c. 8.—Innoc. PP. VIII. Bull. *Summis desiderantes*, 2 Dec. 1484.—Silv. Pricriat. de Strigimagar. Lib. I. c. 2; Lib. II. c. 8.

would be maintained with the utmost fidelity on both sides for thirty or forty years; and the connection thus established was proof against all the ordinary arts of the exorciser. Alvaro Pelayo relates that in a nunnery under his direction it prevailed among the nuns, and he was utterly powerless to put a stop to it. In fact, it was peculiarly frequent in such pious establishments. As a special crime it grew to have a special name, and was known among canonists and casuists as Demoniality; and Sprenger, whose authority in such matters is supreme, assures us that to its attractiveness was due the alarming development of witchcraft in the fifteenth century. The few who, like Ulric Molitoris, while admitting the existence of Incubi, denied to them the power of procreation, were silenced by the authority of Thomas Aquinas, who explained how, by acting alternately as Succubus and Incubus, the demon could accomplish the object, and by the indubitable facts that the Huns were sprung from demons, and that an island in Egypt, or, as some said, Cyprus, was peopled wholly by descendants of Incubi, to say nothing of the popular legend which attributed such paternity to the prophet and enchanter, Merlin. Into the physiological speculations by which these possibilities were proved, it is not worth our while to enter. There is nothing fouler in all literature than the stories and illustrative examples by which these theories were supported.*

As Satan's principal object in his warfare with God was to seduce human souls from their divine allegiance, he was ever ready with whatever temptation seemed most likely to effect his purpose. Some were to be won by physical indulgence such as that just alluded to; others by conferring on them powers enabling them apparently to forecast the future, to discover hidden things, to gratify enmity, and to acquire wealth, whether through forbidden

* Gianfrancesco Pico della Mirandola, La Strega, Milano, 1864, p. 80.—Thomæ Cantimpratens, Bonum universale, Lib. II. c. 55.—Alvar. Pelag. de Planct. Eccles. Lib. II. Art. xlv. No. 102.—Prieriatis de Strigimagar. II. iii., xi.—Sinistrari de Dæmonialitate No. 1-3.—Mall. Maleficar. P. II. Q. i. c. 4-8: P. II. Q. ii. c. 1.—Ulric. Molitor. Dial. de Python. Mulieribus Conclus. v.—Th. Aquin. Summ. I. ii. Art. iii. No. 6.—Nider Formicar. Lib. v. c. ix., x.—Guill. Arvern. Episc. Paris. de Universo (Wright, Proceedings against Dame Alice Kyteler, Camden Soc. p. xxxviii.).—Villemarqué, Myrdhinn, ou l'Enchanteur Merlin, p. 11.—Alonso de Spina, Fortalicium Fidei, Ed. 1494, fol. 282.

arts or by the services of a familiar demon subject to their orders. As the neophyte in receiving baptism renounced the devil, his pomps and his angels,* it was necessary for the Christian who desired the aid of Satan to renounce God. Moreover, as Satan when he tempted Christ offered him the kingdoms of the earth in return for adoration—"If thou therefore wilt worship me all shall be thine" (Luke iv. 7)—there naturally arose the idea that to obtain this aid it was necessary to render allegiance to the princes of hell. Thence came the idea, so fruitful in the development of sorcery, of compacts with Satan by which sorcerers became his slaves, binding themselves to do all the evil they could encompass and to win over as many converts as they could to follow their example. Thus the sorcerer or witch was an enemy of all the human race as well as of God, the most efficient agent of hell in its sempiternal conflict with heaven. His destruction, by any method, was therefore the plainest duty of man.

This was the perfected theory of sorcery and witchcraft by which the gentile superstitions inherited and adopted from all sides were fitted into the Christian dispensation and formed part of its accepted creed. From the earliest periods of which records have reached us there have been practitioners of magic who were credited with the ability of controlling the spirit world, of divining the future, and of interfering with the ordinary operations of nature. When this was accomplished by the ritual of an established religion it was praiseworthy, like the augural and oracular divination of classic times, or the exorcism of spirits, the excommunication of caterpillars, and the miraculous cures wrought by relics or pilgrimages to noted shrines. When it worked through the invocation of hostile deities, or of a religion which had been superseded, it was blameworthy and forbidden. The Yatudhana, or sorcerer of the Vedas, doubtless sought his ends through the invocation of the Rakshasas and other dethroned divinities of the conquered Dasyu. His powers were virtually the same as those of the mediæval sorcerer: with his *yatu*, or magic, he could encompass the death of his enemies or destroy their harvests and their herds; his *kritya*, or charmed images and other objects, had an evil influence which could only be overcome by discovering

* Tertull. de Corona c. iii.

and removing them, exactly as we find it in the Europe of the fifteenth century; while the counter-charms and imprecations employed against him show that there was virtually no difference between sacred and prohibited magic.* The same lesson is taught by Hebrew tradition, which admitted that wonders could be wrought by the *Elohim acherim*, or "other gods," as instanced in the contest between Moses and the Chakamim, or wise men of Egypt. The Talmudists inform us that when he changed his rod into a serpent Pharaoh laughed at him for parading such tricks in a land full of magicians, and sent for some little children who readily performed the same feat, but the failure of Jannes and Jambres to cope with him when he came to the plague of the lice was because their art would not extend to the imitation of things smaller than a barley-corn. The connection between their magic and the worship of false gods is seen in the legend that it was Jannes and Jambres who fabricated for Aaron the golden calf. A similar indication is seen in the Samaritan tradition that the falling away of the Hebrews from the ancient faith was explicable by the magic arts of Eli and Samuel, who studied them in the books of Balaam, gaining thereby wealth and power, and seducing the people from the worship of Jehovah.†

How great was the impression produced on the surrounding nations by the powers of the Egyptian Chakamim is shown by the later Jews, who, familiar as they were with the mysteries of the Magi and Chaldeans, yet declared that of the ten portions of magic bestowed upon the earth, nine had fallen to the lot of Egypt. That kingdom therefore furnishes naturally enough the oldest record of a trial for sorcery, occurring about 1300 B.C., showing that the use of magic was not regarded as criminal of itself, but only when employed by an unauthorized person for wrongful ends.

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* Rig Veda V. VIII. iv. 15, 16, 24 (Ludwig's Rig Veda, Prag, 1876–8, II. 379, III. 345).—Atharva Veda II. 27, III. 6, IV. 18, V. 14, VI. 37, 75 (Grill, Hundert Lieder des Atharva Veda, Tübingen, 1879).

† Polano, Selections from the Talmud, pp. 174, 176.—Augustin. de Trinitate Lib. III. c. 8, 9.—Targum of Palestine on Exod. i.; vii. 11; Numb. xxii. 22.—Fabricii Cod. Pseudepig. Vet. Testam. I. 813; II. 106.—Chron. Samaritan. xli., xliii.

Curiously enough, the fame as magicians of Moses and of his opponents was preserved together. Pliny (N. H. XXX. 2) attributes the founding of what he calls the second school of magic to "Moses and Jannes and Lotapes."

The proceedings in the case recite that a certain Penhaiben, a farm superintendent of cattle, when passing by chance the Khen, or hall in the royal palace where the rolls of mystic lore were kept, was seized with a desire to obtain access to their secrets for his personal advantage. Procuring the assistance of a worker in stone named Atirma, he penetrated into the sacred recesses of the Khen and secured a book of dangerous formulas belonging to his master, Rameses III. Mastering their use, he soon was able to perform all the feats of the doctors of mysteries. He composed charms which, when carried into the royal palace, corrupted the concubines of the Pharaoh; he caused hatred between men, fascinated or tormented them, paralyzed their limbs, and in short, as the report of the tribunal states, "He sought and found the real way to execute all the abominations and all the wickedness that his heart conceived, and he performed them, with other great crimes, the horror of every god and goddess. Consequently he has endured the great punishment, even unto death, which the divine writings say that he merited."*

Hebrew belief, which necessarily served as a standard for orthodox Christianity, drew from these various sources an ample store of magic practitioners. There was the *At*, or charmer; the *Asshaph*, *Kassḥaph*, *Mekassheph*, the enchanter or sorcerer; the *Kosem*, or diviner; the *Oḥ*, *Shoel Oḥ*, *Baal Oḥ*, the consulter with evil spirits, or necromancer (the Witch of Endor was a *Baalath Oḥ*); the *Chober Chaber*, or worker with spells and ligatures; the *Doresh el Hammathim*, or consulter with the dead; the *Meonen*, or augur, divining by the drift of clouds or voices of birds—the "observer of times" of the A. V.; the *Menachesh*, or augur by enchantments; the *Jiddoni*, or wizard; the *Chakam*, or sage; the *Chartom*, or hierogrammatist; the *Mahgim*, or mutterers of spells; and in later times there were the *Istaginen*, or astrologer; the *Charori*, or soothsayer; the *Magush*, *Amgosh*, or enchanter; the *Raten*, or magus; the *Negida*, or necromancer; and the *Pithom*, inspired by evil spirits. There was here an ample field in which Christian superstition could go astray.

Greece contributed her share, although of strictly Goetic magic

* Talmud Babli, Kiddushin, fol. 49 *b* (Wagenseilii Sota, pp. 502–3).—Thonissen, Droit Criminel des Anciens, II. 222 sqq.

—the invocation of malignant spirits or the use of illicit means for wrongful ends—there was little need, in a religion of which the deities, great and small, were subject to all the weaknesses of humanity, were ready at any moment to inflict on man the direst calamities to gratify their love or their spleen or their caprice, and could be purchased by a prayer or a sacrifice to exercise their omnipotence irrespective of justice or morality. In such a religion the priest exercises the functions which in purer faiths are relegated to the sorcerer. Yet it is only necessary to mention the names of Zetheus and Amphion, of Orpheus and Pythagoras, of Epimenides, Empedocles, and Apollonius of Tyana to show that both tradition and history taught the existence and power of thaumaturgy and theurgy.* This theurgy was developed to its fullest extent in the marvels related of the Neo-Platonists, thus directly influencing Christian thought, which necessarily ascribed its miracles to the invocations of demons.† Yet by the side of all this there was no lack of Goetic magic, such as the legends attribute to the Cretan Dactyls or Curetes, to the Telchines, to Medea, and to Circe.‡ This is said to have received a powerful impetus in the Medic wars, when the Magian Osthanes, who accompanied Xerxes, scattered the seeds of his unholy lore throughout Greece. Plato speaks with the strongest reprobation of the venal sorcerers who hire themselves at slender wages to those desirous of destroying enemies with magic arts and incantations, ligatures, and the figurines, or waxen images, which have always been one of the favorite resources of malignant magic, and which in Greece wrought their evil work by being set up in the cross-roads, or affixed to the door of the victim or to the tomb of his ancestors. Philtres, or love-potions, which would excite or arrest love at will

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* Hesiod. Frag. 202.—Pherecyd. Frag. 102, 102*a*.—Pausan. VI. XX.; IX. XVIII., XXX.—Apollodor. I. ix. 25.—Plut. de Defectu. Orac. 13; de Pythiæ Orac. 12.—Diog. Laert. VIII. ii. 4; viii. 20.—Iambl. Vit. Pythag. 134–5, 222.—Philost. Vit. Apollon. passim.—Æl. Lamprid. Alex. Sever. XXIX.—Flav. Vopisc. Aurelian. XXIV.—Cedren. Hist. Compend. sub Claud. et Domit.

† Porphyr. de Abstinent. II. 41, 52–3.—Marini Vit. Procli 23, 26–8.—Damascii Vit. Isidori 107, 116, 126.—Porphyr. Vit. Plotini 10, 11.

‡ Apollon. Rhod. Argonaut. I. 1128–31.—Pherecyd. Frag. 7.—Diod. Sicul. V. 55–6.—Ovid. Metam. VII. 365–7.—Suidas s. v. Τελχῖνες.—Strabon X.—Odyss. X. 211–306.

were among their ordinary resources. Even the triform Hecate was subject to their spells; they could arrest the course of nature and bring the moon to earth. The fearful rites which superstition attributed to these sorcerers are indicated in one of the charges brought against Apollonius of Tyana when tried before Domitian —that of sacrificing a child.*

In Rome the gods of the nether world furnished a link between the sacred ceremonies of the priest and the incantations of the sorcerer, for while they were objects of worship to the pious, they were also the customary sources of the magician's power. Lucan's terrible witch, Erichtho, is a favorite with Erebus; she wanders among tombs from which she draws their shades; she works her spells with funeral-torches and with the bones and ashes of the dead; her incantations are Stygian; gluing her lips to those of a dying man, she sends her dire messages to the under-world. Horace's Canidia and Sagana seek their power at the same source, and the description of their hideous doings bears a curious resemblance to much that sixteen centuries later occupied the attention of half the courts in Christendom. It is the same throughout all the allusions to Latin sorcery—the deities invoked are infernal, and the rites are celebrated at night.† The identity of the means employed with those of modern sorcery is perfect. When Germanicus Cæsar, the idol of the empire, was doomed by the secret jealousy of Tiberius; when his subordinate in command of the East, Cneius Piso, was commissioned to make way with him, and Germanicus was stricken with mortal illness, it reads like a passage in Grillandus or Delrio to see that his friends, suspecting Piso's enmity, dug from the ground and the walls of his house the objects placed there to effect his destruction—fragments of human bodies, half-burned ashes smeared with corruption, leaden plates inscribed with his name, charms, and other accursed things, by which, says Tacitus, it is believed that souls may be dedicated to the infernal gods. The ordinary feats of the witch could be more easily per-

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* Plin. N. H. xxx. ii.—Platon. de Repub. II.; de Legg. I.; IX. (Ed. Astius, IV. 80; VI. 68, 348-50).—Luciani Philopseud. 14.—Philost. Vit. Apollon. VIII. 5.

† Ovid. Fastor. II. 571-82.—Lucan. Pharsal. VI. 507-28, 534-7, 567-9, 766.—Appul. de Magia Orat. pp. 37, 62-4 (Ed. Bipont.).—Horat. Sat. I. viii.; Epod. v. —Petron. Arb. Satyr.—Pauli Sentt. Receptt. v. xxxiii. 15.

formed. A simple incantation would blight the harvest or dry the running fountain, would destroy the acorn on the oak and the ripening fruit on the bough. The figurine, or waxen image, of the person to be assailed, familiar to Hindu, Egyptian, and Greek sorcery, assumes in Rome the shape in which we find it in the Middle Ages. Sometimes the name of the victim was traced on it in letters of red wax. If a mortal disease was to be induced in any organ, a needle was thrust in the corresponding part of the image; or if he was to waste away in an incurable malady, it was melted with incantations at a fire. The victim could moreover be transformed into a beast—a feat which St. Augustin endeavors to explain by dæmonic delusion.* It is observable that the terrible magician is almost always an old woman—the *saga*, *strix*, or *volatica*—the wise-woman or nocturnal bird or night-flyer—corresponding precisely with the hag who in mediæval Europe almost monopolized sorcery. But the male sorcerer, like his modern descendant, had the power of transforming himself into a wolf, and was thus the prototype of the wer-wolves, or *loups-garoux*, who form so picturesque a feature in the history of witchcraft.†

The philtres, charms, and ligatures for exciting desire or preventing its fruition, or for arousing hatred, which meet us at every step in modern sorcery, were equally prevalent in that of Rome. The virtual insanity of Caligula was attributed to powerful drugs administered to him in a love-potion by Cæsonia, whom he married after the death of his sister and concubine Drusilla, and so firm was the conviction of this that when he was assassinated she was likewise put to death for having thus brought the greatest calamities on the republic. That such a man as Marcus Aurelius could be supposed to have caused his wife Faustina to bathe in the blood of the luckless gladiator who was the object of her affections before seeking his own embraces, while doubtless invented to account for the character of his son Commodus, shows the profound belief accorded to such arts. Appuleius found this to his cost when he was tried for his life on the charge of having

* Tacit. Annal. II. 69; III. 13.—Sueton. Calig. 3.—Ovid. Amor. III. vii. 29–34; Heroid. VI. 90–2.—Horat. Sat. I. viii. 29–32, 42–3.—August. de Civ. Dei XVIII. 18.

† Festus s. v. Strigæ.—Virg. Eclog. VIII. 97.—August. de Civ. Dei XVIII. 17. —Paul Æginet. Instit. Medic. III. 16.—Gervas. Tilberiens. Otia Imperial. Decis. III. c. 120.—Cf Volsunga Saga v., VIII.

by incantations and sorcery secured the affections of his bride Pudentilla, a woman of mature age who had been fourteen years a widow. Had the court, like those of the Middle Ages, enjoyed the infallible resource of torture, he would readily have been forced to confession, with the attendant death-penalty; but as there was no charge of treason involved, he was free to disculpate himself by evidence and argument, and he escaped.*

The severest penalties of the law, in fact, were traditionally directed against all practitioners of magic. The surviving fragments of the Decemviral legislation show that this dated from an early period of the republic. With the spread of the Roman conquests, the introduction of Orientalized Hellenism was followed by the magic of the East, more imposing than the homelier native practices, arousing the liveliest fear and indignation. In 184 B. C. the praetor L. Nævius was detained for four months from proceeding to his province of Sardinia, by the duty assigned to him of prosecuting cases of sorcery. A large portion of these were scattered through the suburbicarian regions; the culprits had a short shrift, and he manifested a diligence which Pierre Cella or Bernard de Caux might envy, if the account be true that he condemned no less than two thousand sorcerers. Under the empire decrees against magicians, astrologers, and diviners were frequent, and from the manner in which accusations of sorcery were brought against prominent personages the charge would seem to have been then, as it proved in the fourteenth and fifteenth centuries, one of those convenient ones, easy to make and hard to disprove, which are welcome in personal and political intrigue. Nero persecuted magic with such severity that he included philosophers among magicians, and the cloak or distinctive garment of the philosopher was sufficient to bring its wearer before the tribunals. Musonius the Babylonian, who ranked next to Apollonius of Tyana in wisdom and power, was incarcerated, and would have perished as intended but for the exceptional robustness which enabled him to endure the rigors of his prison. Caracalla went even further and

* Propert. IV. v. 18.—Virg. Æneid. IV. 512–16.—Plin. N. H. VIII. 56.—Livii XXXIX. 11.—Joseph. Antiq. Jud. XIX. 12.—Tibull. I. viii. 5–6.—Ovid. Amor. III. vii. 27–35.—Petron. Arb. Sat.—Jul. Capitolin. Marc. Aurel. 19.—Appul. de Magia Orat.

punished those who merely wore on their necks amulets for the cure of tertian and quartan fevers. The darker practices of magic were repressed with relentless rigor. To perform or procure the performance of impious nocturnal rites with the object of bewitching any one was punished with the severest penalties known to the Roman law—crucifixion or the beasts. For immolating a man or offering human blood in sacrifices the penalty was simple death or the beasts, according to the station of the offender. Accomplices in magic practices were subjected to crucifixion or the beasts, while magicians themselves were burned alive. The knowledge of the art was forbidden as well as its exercise; all books of magic were to be burned, and their owners subjected to deportation or capital punishment, according to their rank. When the cross became the emblem of salvation, it of course passed out of use as an instrument of punishment; with the abolition of the arena the beasts were no longer available; but the fagot and stake remained, and for long centuries continued to be the punishment for more or less harmless impostors.*

With the triumph of Christianity the circle of forbidden practices was enormously enlarged. A new sacred magic was introduced which superseded and condemned as sorcery and demon-worship a vast array of observances and beliefs, which had become an integral and almost ineradicable part of popular life. The struggle between the rival thaumaturgies is indicated already in Tertullian's complaint, that when in droughts the Christians by prayers and mortifications had extorted rain from God, the credit was given to the sacrifices offered to Jove; he challenges the pagans to bring before their own tribunals a demoniac, when a Christian will force the possessing spirit to confess himself a demon. The triumph of the new system was typified in the encounter between St. Peter and Simon Magus, when the flight through the air of the heathen theurgist was arrested by the prayers of the Christian, and he fell with a disastrous crash, breaking a hip-bone and both heels. If, as conjectured by some modern

* Legg. XII. Tabul. Tab. viii.—Senecæ Quæst. Natural. Lib. IV. c. 7.—Plin. N. H. XXVIII. 4.—Liv. XXXIX. 41.—Tacit. Annal. II. 32; IV. 22, 52; XVI. 28–31.—Philost. Vit. Apollon. IV. 35.—Spartian. Anton. Caracall. 5.—Lib. XLVII. Dig. viii. 14.—Pauli Sententt. Receptt. V. XXIII. 14–18.

critics, Simon Magus is the Petrine designation of St. Paul, the partisans of the latter were not behindhand in recounting the triumph of their leader over the older thaumaturgists, for when he wrought wonders at Ephesus and the Jewish conjurers were put to shame, then "many of them also which used curious arts brought their books together and burned them before all men; and they counted the price of them, and found it fifty thousand pieces of silver." *

Still more convincing was the incident which occurred to Marcus Aurelius in the Marcomannic war when, in the territory of the Quadi, he was cut off from water, so that his army was perishing from thirst. Though he had persecuted the Christians, he had recourse to the intervention of Christ, when a sudden tempest supplied the Romans abundantly with water, while the lightning slew the Teutons and dispersed them, so that they were readily slaughtered. When, finally, the new faith and the old met in their death-grapple, Eusebius describes Constantine as preparing for the struggle by calling around him his most holy priests and marching under the shade of the sacred Labarum. Licinius on his side collected diviners and Egyptian prophets and magicians. They offered sacrifices and endeavored to learn the result from their deities. Oracles everywhere promised victory; the sacrificial auguries were favorable; the interpreters of dreams announced success. On the eve of the first battle Licinius assembled his chief captains in a sacred grove where there were many idols, and explained to them that this was to be the decisive test between the gods of their ancestors and the unknown deity of the barbarians—if they were vanquished it would show that their gods were dethroned. In the ensuing combat the cross bore down everything before it; the enemy fled when it appeared, and Constantine seeing this sent the Labarum as an amulet of victory, wherever his troops were sore bestead, and at once the battle would be restored. Defeat only hardened the heart of Licinius, and again he had recourse to his magicians. Constantine, on the other hand, arranged an oratory in his camp, to which before battle he would retire to pray with the men of God, and then sallying forth would give the signal for

* Tertull. Apol. 23, 40.—Constitt. Apostol. VI. 9.—Arnob. adv. Gentes II. 12. —Hippol. Refut. omn. Hæres. Lib. VI.—Acts XIX. 19.

attack, when his troops would slay all who dared to stand before them. So complete became the trust enjoined in the efficacy of the invocation of God, that enthusiasts denounced it as unworthy a Christian to rely upon human prudence and sagacity in trouble. St. Nilus tells us that in cases of sickness recourse is to be had to prayer, rather than to physicians and physic; and St. Augustin, in his recital of miraculous cures beyond the reach of science to effect, evidently regards the appeal to God and the saints as far more trustworthy than all the resources of the medical art.*

It was inevitable that the triumphant theurgy should set to work with remorseless vigor to extirpate its fallen rival, as soon as it could fully control the powers of the State. It was not so much the worship and propitiation of the pagan gods that was first attacked, as the thousand methods of divination and devices to avert evil which had become ingrained in daily life—oracles and auguries and portents and omens and soothsaying. Their efficacy was the work of Satan to deceive and seduce mankind, and their use was the direct or indirect invocation of demons. To attempt to foretell the future in any way was sorcery, and all sorcery was the work of the devil; and it was the same with the amulets and charms, the observance of lucky and unlucky days, and the innumerable trivial superstitions which amused the popu-

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* Pauli Diac. Hist. Miscell. x., xi.—Euseb. Vit. Constant. ii. 4-7, 11-12.—S. Nili Capita parænetica No. 61.—S. August. de Civ. Dei xxii. 8. Cf. Evodii de Mirac. S. Stephani.

The Labarum of Constantine was the Greek cross with four equal arms, a symbol frequently seen on Chaldean and Assyrian cylinders. Oppert attaches to it the root לבר, thus explaining the word Labarum, the derivation of which has never been understood (Oppert et Menant, Documents juridiques de l'Assyrie, Paris, 1877, p. 209). The fetichism connected with the cross probably took its rise from the Labarum. Maxentius, we are told, was an ardent adept in magic, and relied upon it for success against Constantine, who was much alarmed until reassured by the vision of the cross and its starry inscription, "*In hoc vince*" (Euseb. H. E. ix. 9; Vit. Const. i. 28-31, 36.—Pauli Diac. Hist. Miscell. Lib. xi.—Zonaræ Annal. T. iii.). The melting of pagan superstitions into Christian is illustrated by the incident that when Constantine routed Maxentius at the Milvian Bridge he was preceded in battle by an armed cavalier bearing a cross, and at Adrianople two youths were seen who slaughtered the troops of Licinius (Zonaræ Annal. T. iii.). The Christian annalists had no difficulty in identifying with angels of God those whom Pagan writers would designate as Castores.

lar imagination. Zeal for the repression of every species of magic was not only stimulated by the conviction that it was an essential part of the conflict with a personal Satan, but by obedience to the commands of God in the Mosaic law. The awful words, "Thou shalt not suffer a witch (*Mekasshepha*) to live" have rung through the centuries, and have served as a justification for probably more judicial slaughter than any other sentence in the history of human jurisprudence. Rabbinical Judaism enforced this relentlessly in spite of the kindliness of the rabbis and their extreme indisposition to shed human blood. One of the first reforms of the Pharisees on coming into power after the persecution of Alexander Jannai was the abrogation of the Mosaic penal code in favor of milder laws. The leader in the revolution was Simon ben Shetach, who in organizing the Sanhedrin refused the presidency and conferred it on Judah ben Tabbai. The latter chanced to condemn a man for false witness on the testimony of a single person, though the law required two, when Simon reproached him as blood-guilty, and he resigned. Yet this man, so scrupulous about taking life, had no hesitation in hanging at Ascalon eighty witches in a single day. According to the Mishna, the Pithom and the Jiddoni are to be stoned, and false diviners and those who read the future in the name of idols are to be hanged, while the Talmud adds that he who learns a single word from a Magus is to be put to death. Christianity thus derived from Judaism the complete assurance that in ruthlessly exterminating all thaumaturgy save that of its own priesthood it was obeying the unquestioned command of God.*

The machinery of the Church was therefore early set to work to exhort and persuade the faithful against a sin so unpardonable and apparently so ineradicable; and as soon as it gathered its prelates together in councils it commenced to legislate for the suppression of such practices.† When it grew powerful enough to

* Cohen, Les Pharisiens, I. 311.—Lightfooti Horæ Hebraicæ, Matt. xxv. 24.—Mishna, Sanhedrin, vii. 7; x. 16.—Talmud Babli, Shabbath, 75 *a* (Buxtorfi Lexicon, p. 1170).

† Minuc. Felic. Octavius (Bib. Mag. Pat. III. 7-8).—Tertull. Apol. 35; de Anima 57.—Acta SS. Justin. et Cyprian. (Martene Thesaur. II. 1629).—Constitt. Apostol. II. 66.—Lactant. Divin. Iust. II. 17.—Concil. Ancyrens. ann. 314 c. 24.—C. Laodicens. ann. 320 c. 36.—C. Eliberitan. circa 324 c. 6.

influence the head of the State it procured a series of cruel edicts which doubtless were effective in destroying the remains of tolerated paganism as well as in suppressing the special practices so offensive in the eyes of the orthodox. It was not difficult to commence with the time-honored practices of divination, for, although these had formed part of the machinery of State, yet when the State was centred in the person of its master, any inquiry into the future of public affairs was an inquiry into the fortune and fate of the monarch, and no crime was more jealously repressed and more promptly punished than this. Even so warm an admirer of ancestral institutions as Cato the Elder had long before warned his paterfamilias to forbid his *villicus*, or farm-steward, to consult any haruspex or augur. These gentry had a way of breeding trouble, and it boded no good to the master when the slaves were over-curious and too well-informed. In the same spirit Tiberius prohibited the secret consultation of haruspices. Constantine was thus serving a double purpose when, as early as 319, he threatened with burning the haruspex who ventured to cross another's threshold, even on pretext of friendship; the man who called him in was punished with confiscation and deportation, and the informer was rewarded. Priest and augur were only to celebrate their rites in public. Even this was withdrawn by Constantius in 357; any consultation with diviners was punishable with death, and the practitioners themselves, whether of magic or augury, or the expounding of dreams, when on trial were deprived of exemption from torture and could be subjected to the rack or the hooks to extort confession.* Under this Constantius organized an active persecution throughout the East, in which numbers were put to death upon the slightest pretext; passing among the tombs at night was evidence of necromancy, and hanging a charm around the neck for the cure of a quartan was proof of forbidden arts. The witch-trials of modern times were prefigured and anticipated. Under Julian there was a reaction, and in 364 Valentinian and Valens proclaimed freedom of belief; in 371 they included in this the old religious divination, while capital punishment was restricted

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* Cato. Rei Rust. 5.—Sueton. Tiber. 63.—Lib. IX. Cod. Theod. XVI. 1-6.

For the care with which the Romans suppressed unauthorized soothsaying see Livy, XXXIX. 16, and Pauli Sententt. Receptt. V. XXI. 1, 2, 3.

to magic arts, but the persecution in the East under Valens in 374, following the conspiracy of Theodore, obliterated all distinction. Commencing with those accused of magic, it extended to all who were noted for letters or philosophy. Terror reigned throughout the East; all who had libraries burned them. The prisons were insufficient to contain the prisoners, and in some towns it was said that fewer were left than were taken. Many were put to death, and the rest were stripped of their property. In the West, under Valentinian, persecution was not so sweeping, but the laws were enforced, at least in Rome, with sufficient energy to reduce greatly the number of sorcerers; and a law of Honorius, in 409, by its reference to the bishops, shows that the Church was beginning to participate with the State in the supervision over such offenders.* Yet that even the faithful could not be restrained from indulging in these forbidden practices is seen in the earnest exhortations addressed to them by their teachers, and the elaborate repetition of proofs that all such exhibitions of supernatural power were the work of demons.†

The Eastern Empire maintained its severity of legislation and continued with more or less success to repress the inextinguishable thirst for forbidden arts. From some transactions under Manuel and Andronicus Comnenus in the latter half of the twelfth century we learn that blinding was a usual punishment for such offences, that the classical forms of augury had disappeared to be replaced by necromantic formulas, and that such accusations were a convenient method of disposing of enemies.‡

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* Ammian. Marcellin. XIX. xii. 14; XXVI. iii.; XXIX. i. 5-14, ii. 1-5.—Zozimi IV. 14.—Lib. IX. Cod. Theod. XVI. 7-12.

Yet favoritism led Valens to pardon Pollentianus, a military tribune, who confessed that, for the purpose of ascertaining the destiny of the imperial crown, he had ripped open a living woman and extracted her unborn babe to perform a hideous rite of necromancy (Am. Marcell. XXIX. ii. 17). In the later Roman augury, contaminated with Eastern rites, omens of the highest significance were found in the entrails of human victims, especially in those of the fœtus (Æl. Lamprid. Elagabal. 8.—Euseb. H. E. VII. 10, VIII. 14.—Paul. Diac. Hist. Miscell. XI.).

† Augustin. de Civ. Dei X. 9; XXI. 6; de Genesi ad Litteram XI.; de Divinat. Dæmon. V.; de Doctr. Christ. II. 20-4; Serm. 278.—Concil. Carthag. IV. ann. 398, c. 89.—Dracont. de Deo II. 324-7.—Leon. PP. I. Serm. XXVII. c. 3.

‡ Lib. IX. Cod. XVIII. 2-6.—Basilicon Lib. LX. Tit. XXXIX. 3, 28-32.—Photii

In the West the Barbarian domination introduced a new element. The Ostrogoths, who occupied Italy under Theodoric, were, it is true, so much Romanized that, although Arians, they adopted and enforced the laws against magic. Divination was classed with paganism and was capitally punished. About the year 500 we hear of a persecution which drove all the sorcerers from Rome, and Basilius, the chief thaumaturge among them, although he escaped at the time, was burned on venturing to return. When Italy fell back into the hands of the Eastern Empire the prosecution of these offences seems to have been committed to the Church as a part of its ever-widening sphere of influence and jurisdiction.*

The Wisigoths who took possession of Aquitaine and Spain, although less civilized than their Eastern brethren, were profoundly influenced by Roman legislation, and their princes issued repeated enactments to discourage the forbidden arts. It is significant of the Barbarian tenderness for human life, however, that the penalties were greatly less than those of the savage Roman edicts. A law of Recared declares magicians and diviners and those who consult them to be incapable of bearing testimony; one of Egiza places these crimes in the class for which a slave could be tortured against his accused master; and several edicts of Chindaswind provide, for those who invoke demons or bring hail upon vineyards, or use ligatures or charms to injure men or cattle or harvests, scourging with two hundred lashes, shaving, and carrying around for exhibition in the vicinage, to be followed by imprisonment. Those who consult diviners about the health of the king or of others are threatened with scourging and enslavement to the fisc, including confiscation, if their children are accomplices; judges who have recourse to divination for guidance in doubtful cases are subjected to the same penalties, while the simple observation of auguries is visited with fifty lashes. These provisions, which were mostly carried with little change into the Fuero Juzgo, remained the law of the Spanish Peninsula until the Middle Ages

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Nomocanon. Tit. ix. cap. 25.—Nicet. Choniat. Man. Comnen. Lib. iv.; Andron. Lib. ii.

* Edict. Theodorici c. 108.—Gregor. PP. I. Dial. Lib. i. c. 4.—Cassiodor. Variar. iv. 22, 23, ix. 18.—Gregor. PP. I. Epist. xi. 53.

were well advanced. They show how impossible it had been to eradicate the old superstitions, and that the pagan observances and auguries still flourished among all classes, which is confirmed by the denunciations of the Spanish councils and ecclesiastical writers. They have a further significance as presenting a middle term between the severity of Rome and the laxity of the other Barbarian tribes.*

These latter were ruder and less amenable to Roman influences. In their conversion the Church rendered an immense service to humanity, and it did not dare to interfere too rudely with the customs and prejudices of its unruly neophytes; in fact, it harmonized its own with them as far as it could, and became considerably modified in consequence. This process is well symbolized in the instructions of Gregory the Great to Augustin, his missionary to England, to convert the pagan temples into churches by sprinkling them with holy water, so that converts might grow accustomed to their new faith by worshipping in the wonted places, while the sacrifices to demons were to be replaced by processions in honor of some saint or martyr, when oxen were to be slaughtered, not to propitiate idols, but in praise of God, to be eaten by the faithful. In this assimilation of Christianity to paganism it is not surprising that Redwald, King of East Anglia, after his conversion set up in his temple two altars, at one of which he worshipped the true God and at the other offered sacrifices to demons.† The similar adoption by Christian magic of elements from that which it supplanted is well illustrated by the hymn, or rather incantation, known as the Lorica of St. Patrick, in which the forces of nature and the Deity are both summoned as by an enchanter to the assistance of the thaumaturge. A MS. of the seventh century assures us that "Every person who sings it every day with all his attention on God shall not have demons appearing to his face. It will be a safeguard to him against sudden death. It will be a protection to him against every poison and envy. It will be an armor to his soul after his death. Patrick sang this at

* Ll. Wisigoth. II. iv. 1; VI. i. 4; VI. ii. 1, 3, 4, 5.—Fuero Juzgo II. iv. 1; VI. ii. 1, 3, 5.—Concil. Bracarens. II. ann. 572 c. 71.—Conc. Toletan. IV. ann. 633 c. 28.—Isidor. Hispalens. Etymol. VIII. 9; de Ord. Creatur. viii.—S. Pirmiani de Libb. Canon. Scarapsus.

† Haddan and Stubbs, Concil. III. 37.—Bedæ H. E. II. 15.

the time that the snares were set for him by Loegaire, so that it appeared to those who were lying in ambush that they were wild deer and a fawn after them." *

The Barbarians brought with them their own superstitions, whether transmitted from the prehistoric Aryan home, or acquired in the course of their wanderings, and they readily added to these such as they found among their new subjects, whether they were under the ban of the Church or not. They had parted from their brethren before the religious revolution caused by Zoroaster's dualistic conception of Hormazd and Ahriman, and their religions have no trace of a personification of the Evil Principle. Loki, its nearest representative, was rather tricky than incorrigible. It is true that there were evil beings, such as the Hrimthursar, Trolls,

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* Haddan and Stubbs, II. 320–3. Three stanzas of the eleven of which the hymn consists will show its character as an incantation:

1.

I bind to myself to-day
The strong power of an invocation of the Trinity,
The faith of the Trinity in Unity,
The Creator of the elements.

4.

I bind to myself to-day
The power of Heaven,
The light of the Sun,
The whiteness of Snow,
The force of Fire,
The flashing of Lightning,
The velocity of Wind,
The stability of the Earth,
The hardness of Rocks.

6.

I have set around me all these powers,
Against every hostile savage power,
Directed against my body and my soul,
Against the incantations of false prophets,
Against the black laws of heathenism,
Against the false laws of heresy,
Against the deceits of idolatry,
Against the spells of women and smiths and druids,
Against all knowledge which blinds the soul of man.

or Jotuns, the Jotun-dragon Fafnir, the wolf Fenrir, Beowulf's Grendal and others, but they were none of them analogous to the Mazdean Ahriman or the Christian Satan, and when the Teutonic races adopted the latter they came to represent him, as Grimm well points out, rather as the blundering Jotun than as the arch-enemy. To how late a period the ancestral conceptions of the spirit-world prevailed in Germany may be seen in the answers of the learned Abbot John of Trittenheim to the questions of Maximilian I.*

The Teutonic tribes had little to learn from the conquered peoples in the wide circle of the magic arts, for in no race, probably, has the supernatural formed a larger portion of daily life, or claimed greater power over both the natural and the spiritual worlds. Divination in all its forms was universally practised. Gifted beings known as *menn forspair* could predict the future either by second sight, or by incantations, or by expounding dreams. Still more dreaded and respected was the Vala or prophetess, who was worshipped as superhuman and regarded as in some way an embodiment of the subordinate Norns or Fates, as in the case of Veleda, Aurinia, and others who, as Tacitus assures us, were regarded as goddesses, in accordance with the German custom of thus venerating their fatidical women; and in the Volüspa the Vala communes on equal terms with Odin himself.† For those not thus specially gifted there was ample store of means to forecast the future. The most ordinary method was by necromancy, either by placing under the tongue of a corpse a piece of wood carved with appropriate runes, or by raising the shades of the dead precisely as the Witch of Endor did with Samuel, or as was practised in Rome.‡ The lot was also used extensively, whether to ascertain the divine will, like the Hebrew Urim and Thummim, or to ascertain the future with a bundle of sticks, apparently almost identical with the Chinese trigrams and hexagrams.§ As in Greece and Rome, sacrifices were often offered

* Grimm's Teutonic Mythol., Stallybrass's Transl. III. 1028.—Trithem. Lib. Quæst. Q. VI.

† Volsunga Saga. XXIV., XXV., XXXII. — Gripispa.—Keyser's Religion of the Northmen, Pennock's Transl. pp. 191, 285–7.—Tacit. Histor. IV. 61, 65; German. viii.—Volüspa, 2, 21, 22.

‡ Saxo. Grammat. Lib. I.—Havamal, 159.—Grougaldr, 1.—Vegtamskvida, 9.

§ Cæsar. de Bell. Gall. I. 53.—Remberti Vit. S. Anscharii c. 16, 23, 24, 27.—

to the gods in expectation of a response; auguries were drawn from the flight of birds as carefully as by the Roman augurs, while the sacred chickens were replaced with white horses consecrated to the gods, whose motions and actions when harnessed to the sacred chariot were carefully observed.* Saving the Etruscan *haruspicium* and the omens derived from sacrificial victims, Hellenic and Italiote divination had little to distinguish it from that of the Teutons.

As regards magic, scarce any limit can be set to the power of the sorcerer. In no literature do his marvels fill a larger space, nor are the feats of wizard or witch received with more unquestioning faith than in what remains to us of the sagas of the North. Especially were the lands around the Baltic regarded as the peculiar home and nursery of sorcerers, whither people from every land, even from distant Greece and Spain, resorted for instruction or for special aid. In Adam of Bremen's "Churland" every house was full of diviners and necromancers, while the people of northern Norway could tell what every man in the world was doing, and could perform with ease all the evil deeds ascribed to witches in Holy Writ. Both Saxo Grammaticus and Snorri Sturlason, in their widely differing rationalistic accounts of the origin of the Æsir, or gods, agree that the founders of the Northern kingdom owed their deification solely to the magic skill which led their subjects and descendants to venerate them as divine.†

Tacit. German. x.—Ammian. Marcellin. xxxi. 2.—Carolomanni Capit. ii. ad Liptinas.—Carol. Mag. Capit. de Partibus Saxon. c. 23.

* Tacit. German. ix., x.

† Adam. Bremens. iv. 16, 31.—Saxon. Grammat. Lib. i.—Ynglinga Saga, 6, 7 (Laing's Heimskringla).

The Finns were not behind their neighbors in the powers attributed to spells and incantations. In the Kalevala, Louhi, the sorceress of the North, steals the sun and moon, which had come down from heaven to listen to Wainamoinen's singing, and hides them in a mountain, but is compelled to let them out again through dread of counter-spells. The powers of magic song are fairly summarized in the final contest between Wainamoinen and Youkahainen:

> "Bravely sang the ancient minstrel,
> Till the flinty rocks and ledges
> Heard the trumpet tone and trembled,
> And the copper-bearing mountains

Norse magic was roughly classified into that which was legitimate, or *galder*, and that which was wicked, or *seid*. To the former belonged the infinite powers of runes, whether sung as incantations or carved as talismans and amulets. Their invention was attributed to the ancient Hrimthursar or Jotuns, and it was his profound knowledge of this magic lore which enabled Odin to achieve his supremacy. Runes it was that kept the sun upon his course and maintained the order of nature. All runes were mingled together in the sacred drink of the Æsir, whence were derived their supernatural attributes, and some have been allowed

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Shook along their deep foundations,
Flinty rocks flew straight asunder,
Falling cliffs afar were scattered,
All the solid earth resounded,
And the ocean billows answered.
And, alas! for Youkahainen,
Lo! his sledge so fairly fashioned,
Floats, a waif upon the ocean.
Lo! his pearl-enamelled birch-rod
Lies, a weed upon the margin.
Lo! his steed of shining forehead
Stands, a statue in the torrent,
And his hame is but a fir-bough
And his collar naught but corn-straw.
Still the minstrel sings unceasing,
And, alas! for Youkahainen,
Sings his sword from out his scabbard,
Hangs it in the sky before him
As it were a gleam of lightning;
Sings his bow, so gayly blazoned,
Into driftwood on the ocean;
Sings his finely feathered arrows
Into swift and screaming eagles;
Sings his dog, with crooked muzzle,
Into stone-dog squatting near him;
Into sea-flowers sings his gauntlets,
And his vizor into vapor,
And himself, the sorry fellow,
Ever deeper in his torture,
In the quicksand to the shoulder,
To his hip in mud and water."

—*Porter's Selections from the Kalevala*, pp. 84–5.

to reach man, which were carefully classified and studied.* As an adjunct of these was the *seidstaf*, or wand, so indispensable to the magician of all races. The Icelandic Vala Thordis had one of these known as Hangnud, which would deprive of memory him whom it touched on the right cheek and restore it with a touch on the left cheek. Philtres and love-potions, causing irresistible desire or indifference or hatred, were among the ordinary resources of Norse magic. Pricking with the sleep-thorn produced magic sleep for an indefinite time. Magicians could also throw themselves into a deep trance, while the spirit wandered abroad in some other form: women who were accustomed to do this were called *hamleypur*, and if the *hamr*, or assumed form, were injured, the hurt would be found on the real body—a belief common to almost all races.† The adept, moreover, could assume any form at will, as in the historical case of the wizard who in the shape of a whale swam to Iceland as a spy for Harold Gormsson of Denmark, when the latter was planning an expedition thither; or two persons could exchange appearances, as Signy did with a witch-wife, or Sigurd with Gunnar, when Brynhild was deceived into marrying

* Havamal, 142, 150–63.—Harbarsdliod, 20.—Sigrdrifumal, 6–13, 15–18.—Skirnismal, 36.—Rigsmal, 40, 41.—Grougaldr, 6–14.

† Harbardsliod, 20.—Skiruismal, 26–34.—Keyser, op. cit. pp. 270, 293.—Hyndluliod, 43.—Lays of Sigurd and Brynhild.—Gudrunarkvida, II. 21.—Sigrdrifumal, 4.

At the close of the fifteenth century, Sprenger relates (Mall. Maleficar. P. II. Q. i. c. 9) as a recent occurrence in a town in the diocese of Strassburg, that a laborer cutting wood in a forest was attacked by three enormous cats, which after a fierce encounter he succeeded in beating off with a stick. An hour afterwards he was arrested and cast in a dungeon on the charge of brutally beating three ladies of the best families in the town, who were so injured as to be confined to their beds, and it was not without considerable difficulty that he proved his case and was discharged under strict injunctions of secrecy. Gervais of Tilbury, early in the thirteenth century, had already referred to such occurrences as an established fact (Otia Imp. Decis. III. c. 93).

The same belief was current among the Slavs. Prior to the conversion of Bohemia, in a civil war under Necla, a youth summoned to battle had a witch stepmother who predicted defeat, but counselled him, if he wished to escape, to kill the first enemy he met, cut off his ears and put them in his pocket. He obeyed and returned home in safety, but found his dearly beloved bride dead, with a sword-thrust in the bosom and both ears off—which he had in his pocket.—Æn. Sylv. Hist. Bohem. c. 10.

the latter.* Enchanted swords that nothing could resist, enchanted coats that nothing could penetrate, caps of darkness which, like the Greek helm of Pluto, rendered the wearer invisible, are of frequent occurrence in Norse legendary history.†

All this was more or less lawful magic, while the impious sorcery known as *seid* or *trolldom* was based on a knowledge of the evil secrets of nature or the invocation of malignant spirits, such as the Jotuns and their troll-wives. *Seid* is apparently derived from *sjoda*, to seethe or boil, indicating that its spells were wrought by boiling in a caldron the ingredients of the witches' hell-broth, as we see it done in Macbeth. It was deemed infamous, unworthy of men, and was mostly left to women, known as *seid konur*, or seid wives, and as "riders of the night." In the oldest text of the Salic law, which shows no trace of Christian influence, the only allusion to sorcery is a fine imposed for calling a woman a witch, or for stigmatizing a man as one who carries the caldron for a witch.‡ Scarce any limit was assigned to the power of these sorcerers. One of their most ordinary feats was the raising and allaying of tempests, and to such perfection was this brought that storm and calm could be enclosed in bags for use by the possessor, like those which Æolus gave to Ulysses. As Christianity spread, this power gave rise to trials of strength between the old and the new religion, such as we have seen when Constantine overcame Licinius. St. Olaf's first expedition to Finland barely escaped destruction from a dreadful tempest excited by the Finnish sorcerers. Olaf Tryggvesson was more fortunate in one of his missionary raids, when he defeated Raud the Strong and drove him to his fastness on Godo Island in the Salten Fiord—a piece of water whose fierce tidal currents were more dreaded than the Maelström itself. Repeated attempts to follow him were vain, for, no matter how fair was the weather outside, inside Raud maintained a storm in which no ship could live. At length Olaf invoked the aid of Bishop Sigurd, who promised to test whether

* Olaf Tryggvesson's Saga, 87 (Laing's Heimskringla).—Volsunga Saga, VII., XXVII.—Sigurdtharkvida Fafnisbana I. 37, 38).

† Olaf Haraldsson's Saga, 204, 240 (Laing's Heimskringla).—Volsunga Saga, III. 15.—Keyser, op. cit. p. 294.

‡ Havamal, 157.—Harbardsliod, 20.—L. Salic. Tit. lxiv. (First Text of Pardessus).

God would vouchsafe to overcome the devil. Tapers and vestments and holy water and sacred texts were too much for the evil spirits; the king's ships sailed into the fiord with smooth water around them, though everywhere else the waves ran high enough to hide the mountains: Raud was captured, and, as he obstinately refused baptism, Olaf put him to the most cruel death that his ingenuity could devise.*

The sorcerer also had endless power of creating illusions. A beleaguered wizard could cause a flock of sheep to appear like a band of warriors hastening to his assistance. Yet this would appear superfluous, since by his glances alone he could convulse nature and cause instant death. Gunhild, who married King Eric Blood-Axe, says of the two Lap sorcerers who taught her magic: "When they are angry the very earth turns away in terror and whatever living thing they look upon falls dead." When she betrayed them to Eric she cast them into a deep sleep and drew sealskin bags over their heads, so that Eric and his men could despatch them in safety. Similarly when Olaf Pa surprised Stigandi asleep he drew a skin over the wizard's head. There chanced to be a small hole in it through which Stigandi's glance fell upon the grassy slope of an opposite mountain, whereupon the spot was torn up with a whirlwind and living herb never grew there again.†

One of the most terrifying powers of the witch was her fearful cannibalism, a belief which the Teutons shared with the Romans. This is referred to in some of the texts of the Salic law and in the legislation of Charlemagne, and the unlimited extent of popular credulity with regard to it is seen in an adventure of Thorodd, an envoy of St. Olaf, who saw a witch-wife tear eleven men to pieces, throw them on the fire, and commence devouring them, when she was driven off.‡

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* Grougaldr.—Olaf Haraldsson's Saga, 8.—Olaf Tryggvesson's Saga, 85–7. (Laing's Heimskringla).

† Keyser, op. cit. pp. 268, 271–2.—Harald Harfnager's Saga, 34 (Laing's Heimskringla).—All this is nearly equalled by the powers attributed in 1437 by Eugenius IV. to the witches of his time, who by a simple word or touch or sign could regulate the weather or bewitch whom they pleased (Raynald. ann. 1437, No. 27).

‡ L. Salic. Text. Herold, Tit. lxvii (also in the third text of Pardessus, and the L. Emendata Tit. lxvii., but not in the others).—Capit. Carol. Mag. de Partibus

The *trolla-thing*, or nocturnal gathering of witches, where they danced and sang and prepared their unholy brewage in the caldron, was a customary observance of these wise-women, especially on the first of May (St. Walpurgis' Night), which was the great festival of pagandom.* We shall see hereafter the portentous growth of this, which developed into the Witches' Sabbat. It is a feature common to the superstition of many races, the origin of which cannot be definitely assigned to any.

That the practice of this impious sorcery was deemed infamous is clear from the provision of the Salic law, already alluded to, imposing a fine of eighty-nine sols for calling a free woman a witch without being able to prove it. Yet the mere addiction to it in pagan times was not a penal offence, and penalties were only inflicted for injuries thus committed on person or property. In extreme cases, where death was encompassed, there seems to have been a popular punishment of lapidation, which was the fate incurred, after due sentence, by three noted sorcerers, Katla and Kotkel and Grima. The codified laws of the barbarians, however, never prescribed the death penalty, fines being the universal retribution for crime, and in a later text of the Salic law two hundred sols is designated for the witch who eats a man. Yet individual cases can be found of persecution, such as that by Harald Harfaager, whose early experience had inspired him with intense hatred of the art. One of his sons, Rögnvald Rettilbein, received from him the government of Hadeland, where he learned sorcery and became a great adept; so when Vitgeir, a noted wizard of Hordeland, was ordered by Harald to abandon his evil ways he retorted:

> "The danger surely is not great,
> From wizard born of mean estate,
> When Harald's son in Hadeland,
> King Rögnvald, to the art lays hand."

Rögnvald's wrong-doing being thus betrayed, Harald lost no time in despatching Eric Blood-Axe, his son by another wife, who promptly burned his half-brother in a house, along with eighty

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Saxoniæ ann. 794, c. vi.—Olaf Haraldsson's Saga, 151 (Laing's Heimskringla). Cf. Horace (Ars Poet.), "Neu pransæ Lamiæ vivum puerum extrahat alvo."

* Grimm, op. cit. III. 1044, 1050-1.

other sorcerers—a piece of practical justice which we are told met with general popular applause.*

Such were the beliefs and practices of the races with which the Church had to do in its efforts to obliterate paganism and sorcery. There was little difference between the provinces which had belonged to the empire and the regions over which Christianity began for the first time to spread, for in the former the conquerors and the conquered were imbued, as we have just seen, with superstitions nearly akin. The exchange of imperial for barbarian rule worked the same result as to sorcery as that related in a former chapter with regard to the persecution of heresy, though it must be borne in mind that, while heresy almost disappeared in the intellectual hebetude of the times, sorcery grew ever more vigorous. Its suppression was practically abandoned. As mentioned above, the earliest text of the Salic law provides no general penalty for it. In subsequent recensions, besides the fine imposed for cannibalism, some MSS. have clauses imposing fines for bewitching with ligatures and killing men with incantations—in the latter case, with the alternative of burning alive—but even these disappear in the *Lex Emendata* of Charlemagne, possibly in consequence of the legislation of the Capitularies described below. The Ripuarian code only treats murder by sorcery like any other homicide, to be compounded for by the ordinary wer-gild, or blood-money, and for injuries thus inflicted it provides a fine of one hundred sols, to be avoided by compurgation with six conjurators. The other codes are absolutely silent on the subject.†

As under the Frankish rule laws were personal and not territorial, the Gallo-Roman population was still governed by the Roman law, but evidently there was no attempt made to enforce it. Gregory of Tours relates for us several miracles to prove the superiority of the Christian magic of relics and invocation of saints over the popular magic of the conjurer, which indicate that the

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* L. Salic. First Text, Tit. lxiv. § 2; Text. Herold. Tit. lxvii.; Third Text, Tit. lxiv.—Blackwell's Mallet, Bohn's Ed. p. 524.—Keyser, op. cit. pp. 266–7.—Harald Harfnager's Saga, 25, 36 (Laing's Heimskringla).

† L. Salic. Text. Herold. Tit. xxii.; MS. Guelferbit. Tit. xix.—L. Ripuar. Tit. lxxxiii.

first impulse of the people in case of accident or sudden sickness was to send for the nearest *ariolus*, or practitioner of forbidden arts, and that the profession was exercised openly and without fear of punishment, in spite of repeated condemnations by the councils of the period. How little such persons had to fear is seen in the case of a woman of Verdun, who professed to be a soothsayer and to discover stolen goods. She was so successful that she drove a thriving trade, purchased her freedom of her master, and accumulated a store of money. At length she was brought before Bishop Ageric, who only treated her for demoniacal possession with exorcisms and inunctions of holy oil, and finally discharged her.*

Occasionally, of course, cases occurred in which the unrestrained passions of the Merovingians wreaked savage cruelty on those who had incurred their ill-will, but these were exceptional and outside of the law. When Fredegonda lost two children by pestilence, her stepson Clovis was accused of causing it by sorcery. The woman designated as his accomplice was tortured until she confessed, and was burned, although she retracted her confession, after which Chilperic delivered his son Clovis to Fredegonda, who caused him to be assassinated. When, subsequently, another son, Thierry,

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* Greg. Turon. de Mirac. Lib. II. c. 45; de Mirac. S. Martini Lib. I. c. 26.—Concil. Venetic. ann. 465 c. 16.—Concil. Agathens. ann. 506 c. 42, 68.—C. Aurelianens. I. ann. 511 c. 30.—C. Autissiodor. ann. 578 c. 4.—C. Narbonnens. ann. 589 c. 14.—C. Remens. ann. 630 c. 14.—C. Rotomagens. ann. 650 c. 4.—Greg. Turon. Hist. Francor. VII. 44.

The hostility of Christian magic to its rivals extended even to rational medicine. Gregory of Tours develops the teaching of St. Nilus by giving examples to show that it was a sin to have recourse to natural remedies, such as bloodletting, instead of trusting wholly to the intercession of saints.—Hist. Franc. V. 6; de Mirac. S. Martini II. 60.

It was in vain for the Church to proscribe goetic magic while it fostered the beliefs on which the superstition was based by encouraging the practice of sacred magic. For example, there was little use in endeavoring to suppress amulets and charms while the faithful were taught to carry the Agnus Dei, or figure of a lamb stamped in wax remaining from the paschal candles, and consecrated by the pope. In forbidding the decoration and sale of these in 1471, Paul II. expatiates on their efficacy in preserving from fire and shipwreck, in averting tempests and lightning and hail, and in assisting women in childbirth.—Raynald. ann. 1471, No. 58.

died in 584, Mummolus, the royal favorite, whom Fredegonda disliked, was accused of having caused it by incantations. Thereupon she seized some women of Paris, and by scourging and torture forced them to confess themselves sorceresses who had caused numerous deaths, including that of Thierry, whose soul was accepted in place of that of Mummolus. Some of these poor wretches were simply put to death, others she burned, and others she broke on the wheel. Chilperic then caused Mummolus to be tortured by suspension with his arms tied behind his back, but he only confessed to having obtained from the women philtres and ointments to secure the favor of the king and queen. Unluckily he said to the executioner on being taken down, "Tell the king that I feel no ill from what has been done." On hearing this Chilperic exclaimed, "Is he really a sorcerer that this does not hurt him?" and had him stretched on a rack and scourged with leathern thongs till the executioners were exhausted. Mummolus finally begged his life of Fredegonda, but was stripped of his possessions and sent in a wagon to his native city, Bordeaux, where he died on his arrival. Cases like this throw light on the beliefs of the period, but not upon its judicial routine.*

The Lombards in Italy fell to a greater degree under Roman influence, and towards the close of their domination adopted general laws of some severity against the practice of sorcery, irrespective of the injury committed. The sorcerer was to be sold as a slave beyond the province, and the price received was divided between the judge and other officials, according to their respective merits in the prosecution: if through bribes or pity the judge refused to condemn, he was mulcted in his whole wer-gild, or the amount of his blood-money, and half as much if he neglected to discover a sorcerer who was found out by another. The penalty for consulting a sorcerer, or for not informing on him, or for performing incantations, was half the wer-gild of the offender. At the same time the grosser superstitions were rejected, and Rotharis forbade putting sorceresses to death, under the popular belief that they could devour men internally.†

In the long anarchy which accompanied the fall of the Mero-

* Greg. Turon. Hist. Franc. v. 40; VII. 35.

† L. Langobard. II. XXXVIII. l. 2 (Liutprand).—I. ii. 9 (Rotharis).

vingians, all respect for the Church, its precepts and observances, was well-nigh lost throughout the Frankish kingdoms. One of the incidents of reconstruction, as the Carlovingian dynasty slowly emerged, and as St. Boniface, under papal authority, sought to restore the Church, was the suppression of Bishop Adalbert, who taught the invocation of the angels Uriel, Raguel, Tubuel, Inias, Tubuas, Sabaoc, and Simiel. Adalbert was venerated as a saint, and the clippings of his nails and hair were treasured as relics. Repeated condemnations at home had no effect on this false worship of angels, and Pope Zachary held, in 745, a synod in Rome which declared it to be a worship of demons, as the only angels whose names are known are Michael, Gabriel, and Raphael. Yet this superstition took so firm a hold upon the people that it was long before it could be eradicated; indeed, it seems to be alluded to, even in the middle of the tenth century, by Atto of Vercelli.* When such was the condition of the Church, no suppression of sorcery was to be looked for.

Among the instructions to Boniface and his fellow-missionaries was the eradication of all pagan observances, including divination, sorcery, and cognate superstitions. As the Church became reorganized, councils were held in 742 and 743, in which Church and State united in prohibiting them, although only a moderate fine was threatened, but the ecclesiastical jurisdiction over such offences was established by ordering the bishops to make yearly visitations of their sees to suppress paganism and the forbidden arts. Boniface, however, complained to Zachary that when the Frank or German visited Rome he saw there, openly practised, the things which they were laboriously endeavoring to suppress at home. The first of January was celebrated with pagan dances; women wore amulets and ligatures, and publicly offered them for sale. The pope could only reply that these things had long ago been prohibited, but as they had broken out afresh he had forbidden them again—but we may be assured without success.†

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* Concil. Suessionens. ann. 744.—Zachar. PP. Epist. 9, 10.—Bonifacii Epist. lvii.—Synod. Roman. ann. 745 (Bonifacii Opp. III. 10).—Carol. Mag. Capit. Aquisgr. ann. 789 c. 16.—Capit. Herardi Archiep. Turon. ann. 858 c. 3 (Baluz. Capitular. I. 677).—Atton. Vercell. Capitular. c. 48.

† Gregor. PP. II. Capit. data legatis in Bavariam, c. 8, 9.—Concil. German. I.

In the Carlovingian reconstruction which followed, efforts were made to suppress all superstitious arts, and they were treated with gradually increasing severity, but still with comparative lenity. The most vigorous legislation was an edict of Charlemagne in 805, which confides the matter to the Church, and orders the archpriest of each diocese to investigate all who were accused of divination or sorcery, apparently permitting moderate torture to obtain confession, and keeping the culprits in prison until they amend. In his efforts to christianize Saxony, on the one hand Charlemagne punished with death all who burned witches and ate them, under the belief so widely spread that they ate men, and on the other hand all soothsayers and sorcerers were made over to the Church as slaves. During this period, moreover, and for a couple of centuries following, the parallel legislation of the Church, inflicting spiritual penalties, was singularly mild, although the different penitentials vary so much that it is impossible to deduce any system from them. That which passes under the name of Theodore of Canterbury, and was of general authority, only prescribes a penance of twoscore days or a year for sorcery, or, if the offender is an ecclesiastic, three years, but it orders seven years for placing a child on a roof or in an oven to cure it of fever, and Ecbert of York indicates five years for the same practice. There evidently was no settled rule, but the most systematic code is that of Gaerbald, who was Bishop of Liége about the year 800. He orders all offenders to be brought before him for trial, and enacts seven years' penance and liberal almsgiving for committing homicide by means of sorcery, seven years without almsgiving for rendering the victim insane, five years and almsgiving for consulting diviners or practising augury from birds, seven years for sorcerers who bring on tempests, three years and almsgiving for honoring sorcerers, one year for sorcery to excite love, provided it did not result in death, but if the offender was a monk, the penalty was increased to five years. Another penitential of the period prescribes twoscore days or a year for divination or diabolical incantations, but seven years if a woman threatens another with sorcery, to be reduced to four if she is poor. In 829 the Council of

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(Caroloman. Capit. I., Baluz. I. 104-5).—Concil. Liptinens. ann. 743 (Caroloman. Capit. II., Baluz. I. 106-8).—Bonifac. Epistt. 49, 63.—Zachar. PP. Epist. II. c. 6.

Paris attributes the misfortunes of the empire to the prevalence of crime, and especially of sorcery; it quotes the savage provisions of the Mosaic law, and enumerates at considerable length the evil deeds of the offenders—how men are rendered insane by philtres and love-potions, how tempests and hail are induced, how harvests and milk and fruits are transferred from their lawful owners, and how the future is predicted, but it indicates no penalties, and only asks the secular rulers to punish these crimes sharply. Similarly Erard, Archbishop of Tours, in 838 uttered a general prohibition, but only threatened public penance without indicating details. All that we can gather from this confused legislation, from the collections known as the Capitularies, and from the speculations and arguments of Rabanus Maurus and Hincmar of Reims, is that every species of divination and sorcery, Roman and Teutonic, was rife; that it was held to derive its power directly from Satan; that the Church was wholly unable to deal with it; that secular legislation threatened only moderate penalties, and that these were for the most part wholly unenforced.*

Yet, outside of the organized machinery of the Church and State, there was a rough popular justice—a sort of Lynch law—which handled individual offenders with scant ceremony. A chance allusion about this period to Gerberga, who was drowned by the Emperor Lothair in the river Arar, "as is customary with sorcerers," indicates that much was going on not provided for in the Capitularies. The same is seen in a curious statement by St. Agobard, Archbishop of Lyons, who waged such ineffectual battle with many of the superstitions of the time. One of these, as we have seen, was that tempests could be caused by sorcery—a belief which the Church at first pronounced heretical because it inferred

* Carol. Mag. Capit. Aquisgr. ann. 789 c. 18, 63; Capit. II. ann. 806 c. 25; Capit. de Partibus Saxon. ann. 789 c. 6, 23.—S. Gregor. PP. III. De Crimin. et Remed. 16.—Theodori Pœnitent. Lib. I. c. xv. (Haddan and Stubbs, III. 190).—Egberti Pœnitent. VIII. 1 (Ib. p. 424).—Burchardi Decret. x. 8, 24, 28, 31.—Ghaerbaldi Instruct. Pastoral. c. x.; Judic. Sacerdotal. c. x., xi., xx., xxiv., xxv., xxxi., xxxvi. (Martene Ampl. Coll. VII. 25–33).—Libell. de Remed. Peccat. c. 9 (Ib. p. 44).—Concil. Paris. ann. 829 Lib. III. c. 2 (Harduin. IV. 1352).—Herardi Turon. Capit. iii. ann. 838 (Baluz. I. 1285).—Capitul. I. 21, 63; v. 69; VI. 215; Addit. II. c. 21.—Rabani Mauri de Magicis Artibus.—Hincmar. de Divort. Lothar. Interrog. xv.

the Manichæan dualistic theory, which placed the visible world under the control of Satan, but which it finally accepted as orthodox, and Thomas Aquinas proved that, with the permission of God, demons could bring about perturbations of the air. Agobard tells us that the belief in his province was universal, among all ranks, that there was a region named Magonia, whence ships came in the clouds and carried back thither the harvests destroyed by hail, the Tempestarii, as these sorcerers were called, being paid by the Magonians for bringing on the storms. Whenever the rumbling of thunder was heard it was a customary remark that a sorcerer's wind was coming. These Tempestarii carried on their nefarious trade in secrecy, but there was a recognized class of practitioners who professed to be able to neutralize them, and were regularly paid for doing so with a portion of the crops, which came to be known as the "canonical portion," and men who paid no tithes and gave nothing in charity were regular in contributing to these impostors. On one occasion three men and a woman were seized, charged with being Magonians who had fallen from one of their aerial ships. A meeting of the people was summoned, before whom the prisoners were brought in chains, and they were promptly condemned to be stoned to death, when Agobard himself came to the rescue, and after prolonged argument succeeded in procuring their liberation. A similar instance of extra-judicial action was seen when a destructive murrain invaded the herds, and the story spread that it was caused by Grimoald, Duke of Benevento, who, out of enmity to Charlemagne, sent emissaries to scatter a magic powder on the mountains and fields and streams. As Agobard says, every inhabitant of Benevento, with three wagons apiece, could not have sprinkled a territory so extensive as that affected, but nevertheless large numbers of wretches were captured and put to death on the charge of being concerned in the matter. When he adds that it was marvellous that these persons confessed their pretended crime, and could not be prevented from bearing false witness against themselves, either by scourging, torture, or the fear of death, we learn the means adopted to secure conviction; and in this early and irregular instance of the use of torture we see a foreshadowing of the time when all the extravagant absurdities of the Witches' Sabbat were, by the same efficacious methods, eagerly confessed, and the confessions persisted in to the

stake. We see also what an atmosphere of superstitious terror pervaded the life of Europe.*

Carlovingian civilization was but a brief episode in the darkness of those dreary centuries. In the disorder which accompanied the breaking-up of the empire, the organization of feudalism, and the founding of the European monarchies, although the Church was quietly attributing to itself the functions and the jurisdiction on which were based its subsequent claims of theocratic supremacy, it took no efficient steps to destroy the kingdom of Satan, though his agents the diviners and sorcerers were as numerous as ever. The Council of Pavia in 850 merely prescribed penance during life for sorceresses who undertook to provoke love and hatred, leading to the death of many victims. There may have been an occasional explosion of popular cruelty, such as indicated by the brief mention in a doubtful MS. of the burning of a number of sorcerers in Saxony in 914, but in fact the Church came almost virtually to tolerate them. About the middle of the tenth century Bishop Atto of Vercelli felt it necessary to revive and publish anew a forgotten canon of the Fourth Council of Toledo, which threatened with degradation and perpetual penance in a monastery any bishop, priest, deacon, or other ecclesiastic who should consult magicians or sorcerers or augurs. Atto, however, was a puritan, who endeavored to resist the general demoralization of the age. How little repugnance was felt for the forbidden arts is seen in the fact that the reputation for necromantic skill gained in Spain did not prevent the election of Gerbert of Aurillac to the archiepiscopal sees of Reims and Ravenna, and finally to the papacy itself; while as late as 1170 we have seen an

* Nithardi Hist. Lib. I. c. 5, ann. 834.—Concil. Bracarens. I. ann. 563 c. 8.—Burchard. Decret. x. 8.—Ivon. Decret. xi. 36.—Bernardi Comens. de Strigiis c. 14.—Ghaerbald. Judic. Sacerd. 20.—Herard. Turon. capit. iii.—Conc. Paris. ann. 829 Lib. III. c. 2.—S. Agobardi Lib. de Grandine c. 1, 2, 15, 16.

Even as late as the eleventh century Bishop Burchard prescribes penance for believing that sorcerers can affect the weather or influence the human mind to affection or hatred (Decret. xix. 5). In less than two centuries and a half Thomas of Cantimpré shows that it was perfectly orthodox to assert that tempests were caused by demons (Bonum universale, Lib. II. c. 56).—It could scarce be otherwise when we consider the complete control over the weather attributed to sorcerers in Norse magic, and the adoption of the heathen superstitions by mediæval Christianity.

archbishop of Besançon have recourse to an ecclesiastic skilled in necromancy to aid him in detecting some heretics.*

In fact, the Church occupied an inconsistent attitude. Occasionally it took the enlightened view that these beliefs were groundless superstitions. An Irish council of the ninth century anathematizes any Christian who believes in the existence of witches, and forces him to recant before admitting him to reconciliation. Similarly, in 1080, Gregory VII. in writing to Harold the Simple of Denmark, strongly reproves the custom of attributing to priests and women all tempests, sickness, and other bodily misfortunes: these are the judgments of God, and to wreak vengeance for them on the innocent is only to provoke still more the divine wrath. More generally, however, the Church admitted their truth and sought, though with little energy, to repress them with spiritual censures. This halting position is well illustrated by the canons of Burchard, Bishop of Worms, in the early part of the eleventh century, where sometimes it is the belief in the existence of sorcery that is penanced, and sometimes it is the practice of the art. If confessors, moreover, followed Burchard's instructions and interrogated their penitents in detail as to the various magic processes which they might have performed, it could only result in disseminating a knowledge of those wicked arts in a most suggestive way. At the same time Burchard, like the other canonists, Regino of Pruhm and Ivo of Chartres, gave an ample store of prohibitory canons drawn from the early councils and the writings of the fathers, showing that the reality of sorcery was freely admitted as well as the duty of the Church to combat it. So implicit was

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* Concil. Ticinens. ann. 850 c. 25.—Annal. Corbeiens. ann. 914 (Leibnit. S. R. Brunsvic. II. 299).—Atton. Vercell. Capit. c. 48.—Sigebert. Gemblacens. ann. 995.—Alberic. Trium Font. ann. 998, 999, 1002.—Cæsar. Heisterbach. Dist. v. c. 18.

For the acquirements of Gerbert of Aurillac see Richeri Hist. Lib. II. c. xliii. sqq. A man capable of making, in the tenth century, a sphere to represent the earth, with the Arctic Circle and Tropic of Cancer traced on it, might well pass for a magician, although the sphericity of the earth was no secret to the Arabic philosophers (Avicenna de Cœlo et Mundo c. x.). How durable was Gerbert's unsavory reputation is seen in the retention of the stories concerning him by the mediæval historians down to the time of Platina (Ptol. Lucens. Hist. Eccles. Lib. XVIII. c. vi.-viii.—Platinæ Vit. Pontif. s. v. Silvest. II.).

the belief in magic powers that the Church conceded the dissolution of the indissoluble sacrament of matrimony when the consummation of marriage was prevented by the arts of the sorcerer, and exorcisms and prayers and almsgiving and other ecclesiastical remedies proved powerless for three years to overcome the power of Satan. Guibert of Nogent relates, with pardonable pride, that although this occurred when his father and mother were married, through the malice of a stepmother, yet his mother resisted all persuasion to avail herself of a divorce, although the impediment continued for seven years, and the spell was broken at last, not by priestly ministrations, but by an ancient wise-woman. Such a cause was alleged when Philip Augustus abandoned his bride, Ingeburga of Denmark, on their marriage-day, and Bishop Durand, in his *Speculum Juris*, tells us that these cases were of daily occurrence. Even so enlightened a man as John of Salisbury airs his learning in describing all the varieties of magic, and is careful to define that if sorcerers kill men with the violence of their spells it is through the permission of God; while Peter of Blois, if he shows himself superior to the vulgar belief in omens, admits the potency of Satanic suggestiveness in the darker forms of magic.*

With this universal belief in sorcery and in its diabolic origin, there seems to have been no thought of enforcing the severity of the laws. About 1030, Poppo, Archbishop of Trèves, sent to a nun a piece of his cloak of which to make him a pair of shoes to be worn in saying mass. She bewitched them so that when he

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* Synod. Patricii c. 16 (Haddan and Stubbs, II. 329).—Gregor. PP. VII. Regist. VII. 21.—Reginon. de Discip. Eccles. II. 347 sqq.—Burchardi Decret. Lib. X., Lib. XIX. c. 5.—Ivon. Decreti P. XI.—Ivon. Panorm. VI. 117; VIII. 61 sqq.—P. II. Decret. caus. XXXIII. Q. 1, c. 4. — Mall. Maleficar. P. I. Q. 8. — Guibert. Noviogent. de Vita sua I. 12.—Rigord. de Gest. Phil. Aug. ann. 1193.—Durandi Specul. Juris Lib. IV., Partic. iv., Rubr. de Frigidis, etc.—Johann. Saresberiens. Polycrat. II. 9–12.—Pet. Blesens. Epist. 65.

The belief in "ligatures" is one of the oldest and most universal of superstitions. Herodotus (III. 181) relates that Amasis who reigned in Egypt about the middle of the sixth century B. C., found himself thus afflicted when he married the Cyrenean princess Ladice. Notwithstanding the political importance of maintaining the alliance cemented by the marriage, he accused her of employing sorcery and threatened her with death. In her extremity she made a vow in the temple of Venus to send a statue of the goddess to Cyrene. Her prayer was heard and her life was saved.

put them on he found himself dying of love for her. He resisted the desire and gave the shoes to one of his chief ecclesiastics, who experienced the same effect. The experiment was tried with like result on all the principal clergy of the cathedral, and when the evidence was overwhelming the fair offender was condemned simply to expulsion from the convent, while Poppo himself expiated his transient passion by a pilgrimage to the Holy Land. It was felt, however, that the discipline of the nunnery must be dangerously lax, and the other nuns were given the option of adopting a stricter rule or of dispersion. They chose the latter, and were replaced with a body of monks. When, in 1074, a revolt in Cologne forced the archbishop to fly, it is related among the excesses of the triumphant rebels that they threw from the walls and killed a woman defamed for having crazed a number of men by magic arts. That was regarded as a crime which three centuries later would have been a manifestation of praiseworthy zeal. About the same time a council in Bohemia warns the faithful not to have recourse in their troubles to sorcerers; but it only prescribes confession and repentance and to abstain from a repetition of the offence.*

Still, the accusation of sorcery was felt to be damaging, and as it was easy to bring and hard to disprove, it was bandied about somewhat recklessly. It was not enough for Berenger of Tours to be compelled to abjure his notions concerning transubstantiation, but he was stigmatized as the most expert of necromancers. In the bitter strife of Gregory VII. with the empire, when, in 1080, the Synod of Brescia deposed him and elected Wiberto of Ravenna as antipope, one of the reasons alleged against him was that he was a manifest necromancer—an art which he was supposed to have learned in Toledo. The manner in which partisanship availed itself of this method of attack is curiously illustrated by the opposing accounts given of Liutgarda, niece of Egilbert, Archbishop of Trèves, at this period. He was a resolute imperialist, and accepted his pallium from Wiberto, after which he made Liutgarda abbess of a convent in his diocese. The account of his episcopate is written by a contemporary; one MS., which is

* Gest. Treviror. Archiep. c. 19.—Lambert. Hersfeld. Annal. ann. 1074.—Höfler, Prager Concilien, p. xvi.

doubtless the genuine one, describes her as a cultured and exemplary woman, who ruled her nunnery in the service of God for forty years, leaving a happy memory behind her; another MS. of the same chronicle calls her a blasphemous witch and sorceress, under whose government the convent was almost ruined. After the Church had triumphed over the empire, it is easy to understand why such an interpolation should have been made.*

While thus the ancient laws against sorcery were practically falling into desuetude on the Continent, the legislation of the Anglo-Saxons shows that in England *lyblac* or witchcraft was the object of greater solicitude. About the year 900 the laws of Edward and Guthrum class witches and diviners with perjurers, murderers, and strumpets, who are ordered to be driven from the land, with the alternatives of reforming, of being executed, or of paying heavy fines—a provision which was repeatedly re-enacted by succeeding monarchs to the time of Cnut. Athelstan soon after decreed that when death was caused by *lyblac*, and the perpetrator confessed it, he should pay with his life; if he denied, he underwent the triple ordeal: failing in this he was imprisoned for four months, after which his kinsmen could release him on paying the wer-gild of the slain, the heavy fine of one hundred and twenty shillings to the king, and giving security for his good behavior. Towards the middle of the tenth century, Edward the Elder denounced perpetual excommunication for *lyblac* unless the offender repented. In the compilation known as the Laws of Henry I. murder by sorcery forfeited the privilege of redemption by paying wer-gild, and the perpetrator was handed over to the kinsmen of the slain, to be dealt with at their pleasure. For minor injuries thus caused, redemption was allowed as in other cases. When the accused denied, he was tried before the bishop, thus subjecting this offence to ecclesiastical jurisdiction. This severity seems to have changed with the Norman Conquest, for William the Conqueror, when besieging the Island of Ely, by advice of Ivo Taillebois placed at the head of his army a sorceress whose incantations were expected to paralyze the resistance of the defenders. Unluckily for the scheme, Hereward of Burgh made a flank attack on the

* Chron. Turon. ann. 1061.—Chron. Halberstadiens. (Leibnit. S. R. Brunsv. II. 127-8).—Gest. Treviror. c. 38 (Martene Ampl. Coll. IV. 181-2).

invaders, and, setting fire to the reeds, burned the sorceress and all who were with her.*

When Olaf Tryggvesson, early in the eleventh century, endeavored to christianize Norway, he recognized the sorcerers as the most formidable enemies of the faith, and handled them unsparingly. At a Thing, or assembly, in Viken, he proclaimed that he would banish all who could be proved to deal with spirits or in witchcraft, and this he followed up with proceedings somewhat rigorous. He ransacked the district and had all the sorcerers brought together; he gave them a great feast with plenty of liquor, and when they were drunk he had the house fired, so that none escaped save Eyvind Kellda, a grandson of Harald Harfaager, and a peculiarly obnoxious wizard, who climbed through the smoke-hole in the roof. In the spring Olaf celebrated Easter on Kormt Island, when thither came Eyvind in a long ship fully manned with sorcerers. Landing, they put on caps of darkness, which rendered them invisible, and surrounded themselves with a thick mist, but when they came to Augvaldsness, where King Olaf lay, it became clear day and they were stricken with blindness, so that they wandered helplessly around till the king's men seized them and brought them before him. He had them bound and placed on a rock which was bare only at low water, and Snorri Sturlason says that in his time it was still known as the Skerry of Shrieks. Another pious act related of Olaf illustrates both the methods requisite to spread the gospel among the rugged heroes of Norway and one of the explanations given by the Christians of the powers of sorcerers. Olaf captured Eyvind Kinnrif, a noted sorcerer, and sought to convert him, but in vain. Then a pan of fire was placed upon his belly, which he stoically endured until he burst asunder before asking its removal. Regarding this tardy request as a sign of yielding, Olaf asked him "Eyvind, wilt thou now believe in Christ?" "No," replied Eyvind, "I can take no baptism, for I am an evil spirit placed in a man's body by Lapland sorcery, because in no other way could my father and mother

* Laws of Edward and Guthrum, 11.—Laws of Ethelred, v. 7.—Cnut Secular. 4 (Ed. Kolderup Rosenvinge p. 36).—Athelstan's Dooms, i. 6.—Laws of Edward the Elder, 6.—Ll. Henrici lxxi. § 1.—Ingulph's Chron. Contin. (Bohn's Edition, p. 258).

have a child," and with that he died. Yet in the earliest Icelandic code, the Grágás, compiled probably in 1118, there is no mention of sorcery, which seems to have been left to the spiritual courts; while in the contemporary ecclesiastical body of law the punishment of magic arts is only three years' exile, unless injury or death to man or beast has been wrought, when it is perpetual. In either case the accused is entitled to trial before twelve good men and true.*

Elsewhere thoughout Europe, by the end of the twelfth century, the repression of sorcery seems to have been well-nigh abandoned by both secular and ecclesiastical authorities. This was not because its practice had been either given up or rendered lawful. In 1149 we find Abbot Wibald of Corvey accusing Walter, one of his monks, of using diabolical incantations. The cause which led Alexander III., in 1181, to monopolize for the Holy See the canonization of saints was that the monks of the Norman abbey of Gristan were addicted to magic, and by its means endeavored to gain the reputation of working miracles; during the absence in England of the abbot, the prior one day got drunk at dinner and struck with a table-knife two of his monks, who retaliated by beating him to death, and he perished unhouselled, yet by evil arts the monks succeeded in inducing the people to adore him as a saint until Bishop Arnoul of Lisieux reported the truth to Alexander. So easily were such offences condoned that in the case of a priest who, to recover something stolen from his church, employed a magician and looked into an astrolabe, Alexander only ordered the punishment of a year's suspension, and this decision was embodied by Gregory IX. in the canon law as a precedent to be followed. This method of divination involved the invocation of spirits, and was wholly unlawful, yet it was employed without scruple. John of Salisbury, who died in 1181, relates that when he was a boy he was given to a priest to be taught the psalms. His instructor mingled with his sacred functions the practice of catoptromancy, and once made use of his pupil and an older scholar

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* Olaf Tryggvesson's Saga, 69, 70, 83 (Laing's Heimskringla).—Kristinrettr Thorlaks oc Ketils, c. xvi.

For the intimate connection between sorcery and malignant spirits, see Finn Magnusen's Priscæ Vet. Boreal. Mythologiæ Lexicon, s. v. Tröll, pp. 474 sqq.

to look into the polished basin, after due conjurations and the use of the holy chrism. John could see nothing, and was relieved from further service of the kind, but his comrade discerned shadowy forms and thus was a more useful subject. Thus the forbidden arts flourished with but slender repression, and in this period of virtual toleration they worked little evil, save perhaps an occasional case of poisoning in a love-potion.*

It might be expected that this toleration would cease as the human mind awakened and in its gropings began to cultivate with increased assiduity the occult sciences, in the endeavor to penetrate the secrets of nature; as scholastic theology developed itself into a system which sought to frame a theory of the universe; as the revived study of the Roman law brought again into view the imperial edicts against sorcery, and as the spiritual courts became effectively organized for their enforcement. Yet the development of persecution was wonderfully slow. The Church had a real and a dangerous enemy to combat in the threatening growth of heresy, and had little thought to bestow on a matter which did not endanger the power and privileges of the hierarchy. An occasional council, like that of Rouen in 1189 and of Paris in 1212, denounced the practitioners of magic, but there was no defined penalty, and only excommunication was threatened against them. Yet there was a popular idea that, like heresy, burning was the appropriate punishment, as in the case, about the same period, of a young cleric of Soest named Hermann, who, when vainly tempted by an unchaste woman, was accused by her of magic arts, was condemned and burned. In the flames he sang the Ave Maria until silenced by a blazing stick thrust into his mouth by a kinsman of the accuser; but his innocence shone

* Wibaldi Epist. 157 (Martene Ampl. Coll. II. 352).—Baron. Annal. ann. 1181, No. 6–10.—C. 1 Extra. xlv. 3.—C. 2 Extra. v. 21.—Johan. Saresberiens. Polycrat. c. xxviii.

Catoptromancy was a practice duly handed down from classical times. Didius Julianus, during his short reign, found time to obtain foreknowledge of his own downfall and the succession of Septimius Severus, by means of a boy who with bandaged eyes looked into a mirror after proper spells had been muttered over him (Æl. Spartiani Did. Julian. 7), and Hippolytus of Porto gives us in full detail the ingenious frauds by which this and similar feats were accomplished (Refut. omn. Hæres. iv. 15, 28–40).

forth in the miracles wrought at his grave, and a chapel was built over it which stood as a warning against such inconsiderate zeal.*

Cæsarius of Heisterbach, to whom we owe this incident, has an ample store of marvels which show that superstition was as active as ever, that men were eager to gain what advantage they could from intercourse with Satan, and that such practices were virtually unrepressed. He tells of a certain ecclesiastic named Philip, a celebrated necromancer, dead only a few years previous, apparently without trouble from Church or State. A knight named Henry of Falkenstein, who disbelieved in demons, applied to him to satisfy his doubts. Philip obligingly drew a circle with a sword at a cross-roads and muttered his spells, when, with a tumult like rushing waters and roaring tempests, the demon came, taller than the trees, black, and of a most fearful aspect. The knight kept within the charmed circle and escaped immediate ill, but lost his color, and remained pallid during the few years in which he survived. A priest undertook the same experience, but became frightened and allowed himself to be dragged out of the circle; he was so injured that he died on the third day, whereupon Waleran of Luxembourg piously confiscated his house, showing that immunity was not always to be reckoned on.†

Compacts with Satan were also not infrequent. The heretics burned at Besançon in 1180 were found to have such compacts inscribed on little rolls of parchment under the skin of their armpits. It would be difficult to find any historical fact of the period apparently resting on better authority than the story of Everwach, who was still living as a monk of St. Nicholas at Stalum when Cæsarius described his adventures as related by eye-witnesses. He had been steward of Theodoric, Bishop of Utrecht, whom he served faithfully. Accused of malversation, he found some of his accounts missing, and in despair he invoked the devil, saying, "Lord, if thou wilt help me in my necessity I will do homage to thee and serve thee in all things." The devil appeared,

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* Concil. Rotomagens. ann. 1189 c. 29 (Bessin, Concil. Rotomagens. I. 97).—Concil. Paris. ann. 1212 P. v. (Martene Ampl. Coll. VII. 103).—Cæsar. Heisterb. iv. 99.

† Cæsar. Heisterb. v. 2, 3.

and Everwach accepted his conditions of renouncing Christ and the Virgin and paying him homage, after which the accounts were proved without difficulty. Thenceforth Everwach was in the habit of openly saying, "Those who serve God are wretched and poor, but they who believe in the devil are prosperous," and he devoted himself to the study of magic arts. It shows how lax was the discipline of the time, when, in his zeal for Satan, he bitterly opposed Master Oliver, the Scholasticus of Cologne, who preached the cross in Utrecht, and on being reproved sought to slay him, being only prevented by a sickness of which he died. He was plunged into hell and subjected to the indescribable torments of the damned, but the Lord pitied him, and he returned to life on the bier at his own funeral. Thenceforth he was a changed man. In company with Bishop Otto of Utrecht he made the pilgrimage to the Holy Sepulchre, inflicting on himself all manner of austerities, and on his return gave his property to the Church and entered the convent at Stalum. There is another story, of a spendthrift young knight near Liége, who, after squandering his fortune, was induced by one of his peasants to appeal to Satan. On the promise of wealth and honors he renounced allegiance to God and rendered regular feudal homage to Satan; the latter, however, required him to also renounce the Virgin, and this he refused to do, wherefore, on his repenting, he was pardoned at her intercession.*

These instances, which could readily be multiplied, will suffice to show the tendency of popular thought and belief at this period. It is true that Roger Bacon, who was in so many things far in advance of the age, argued that much of magic was simply fraud and delusion; that it is an error to suppose that man can summon and

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* Cæsar. Heisterb. II. 12; V. 18; XII. 23.

In spite of their lifelike contemporary details, these stories are evidently founded on that of Theophilus of Cilicia, which had so great a currency during the Middle Ages. He was archdeacon until dismissed by his bishop, when in despair he had recourse to Satan, to whom he gave a written compact pledging himself to endure the pains of hell throughout eternity. He was forthwith restored to his position and enjoyed high consideration until, overwhelmed with remorse, he appealed to the Virgin. By assiduous penitence he won her aid, and she caused the compact to be returned to him.—Hroswithæ de Lapsu et Convers. Theophili.

dismiss malignant spirits at will, and that it is much simpler to pray directly to God because demons can influence human affairs only through God's permission. Even Bacon, however, in asserting the uselessness of charms and spells, gives as his reason that their efficacy depended on their being made under certain aspects of the heavens, the determination of which was very difficult and uncertain. Bacon's partial incredulity only indicates the universality of the belief in less scientific minds, and, in view of the activity assigned to Satan in seeking human agents and servitors, and the ease with which men could evoke him and bind themselves to him, the supineness of the Church with regard to such offences is remarkable. The terrible excitement aroused by the persecution of the Stedingers and of Conrad of Marburg's Luciferans must indubitably have given a stimulus to the belief in demonic agencies. Thomas of Cantimpré tells us that he had from Conrad, the Dominican provincial, as happening to one of Conrad of Marburg's Luciferans, the well-known story that the heretic, endeavoring to convert a friar, conducted him to a vast palace where the Virgin sat enthroned in ineffable splendor surrounded by innumerable saints; but the friar, who had provided himself with a pyx containing a consecrated host, presented it to the Virgin with a demand that she should adore her Son, when the whole array vanished in darkness. Yet this excitement left behind it a reaction which rather created indisposition to further persecution. Pierre de Colmieu, afterwards Cardinal of Albano, when Archbishop of Rouen, in 1235, included invoking and sacrificing to demons and the use of the sacraments in sorcery only among the cases reserved to the bishops for granting absolution; and the cursory allusion to the subject by Bishop Durand in his *Speculum Juris* shows that, for at least a half-century later, the subject attracted little attention in the ecclesiastical courts. A synod of Anjou, in 1294, declares that according to the canons priests should expel from their parishes all diviners, soothsayers, sorcerers, and the like, and laments that they were permitted to increase and multiply without hindrance, to remedy which all who know of such persons are ordered to report them to the episcopal court, in order that their horrible malignity may be restrained.*

* Rogeri Bacon Epist. de Secretis Operibus Artis c. i., ii. (M. R. Series, pp

Still more remarkable is the indifference of secular jurists and lawgivers during the thirteenth century, when the jurisprudence of Europe was developing and assuming definite shape. In England there is a strong contrast with the Anglo-Saxon period in the silence respecting sorcery in Glanvill, Bracton, the Fleta, and Britton. The latter, in describing the circuits of the sheriffs, gives an elaborate enumeration of the offences about which they are to make inquisition, including renegades and misbelievers, but omitting sorcery, and the same omission is observable in the minute instructions given by Edward I. to the sheriffs in the Statute of Ruddlan in 1283, although Peter, Bishop of Exeter, in his instructions to confessors in 1287, mentions sorcerers and demon-worshippers among the criminals to whom they are to assign penance. It is true that Horn's *Myrror of Justice* classes sorcery and heresy together as *majestas*, or treason to the King of Heaven, and we may assume that both were liable to the same penalty, though neither were actively prosecuted. It is the same with the mediæval laws of Scotland as collected by Skene. The *Iter Camerarii* embodies detailed instructions for the inquests to be held by the royal chamberlain in his circuits, but in the long list of crimes and misdemeanors requiring investigation there is no allusion to sorcery or divination.*

It is nearly the same in French jurisprudence. The *Conseil* of Pierre de Fontaines and the so-called *Établissements* of St. Louis contain no references to sorcery. The *Livres de Jostice et de Plet*, though based on the Roman law, makes no mention of it in its long list of crimes and penalties, although incidentally an imperial law is said to apply to those who slay by poisons or enchantments. Beaumanoir, however, though he seems only to know of sorcery employed to excite love, tells us that it is wholly under ecclesiastical jurisdiction; its practitioners err in the faith, and thus are justiciable by the Church, which summons them to abandon their errors, and in case of refusal condemns them as misbelievers. Then secular justice lays hold of them and inflicts death if it ap-

523-7).—Th. Cantimprat. Bonum universal. Lib. II. c. 56.—Præcept. Antiq. Rotomag. c. 109 (Bessin, Concil. Rotomagens. II. 67, 76).—Durandi Specul. Juris Lib. IV. Partic. IV. Rubr. de Sortilegiis.—Synod. Andegavens. ann. 1294 c. 2 (D'Acbery, I. 737).

* Britton, ch. 29.—Owen's Laws and Institutes of Wales, II. 910-2.—P. Exon.

pea s that their sorcery may bring death on man or woman, while if there is no danger of this, it imprisons them until they recant. Thus sorcery is heresy cognizable by the Church only, and punishable when abjured only by penitence; yet, when the obstinate sorcerer is handed over to the secular arm, in place of being burned like a Waldensian refusing to swear, the character of his heresy is weighed by the secular court, and if its intent be not homicide he is simply imprisoned until he recants, showing that sorcery was treated as the least dangerous form of heresy. Beaumanoir's assertion of ecclesiastical jurisdiction is confirmed by a contemporaneous decision of the Parlement of Paris in 1282, in the case of some women arrested as sorceresses in Senlis and tried by the maire and jurats. The Bishop of Senlis claimed them, as their offence pertained to his court; the magistrates asserted their jurisdiction, especially as there had been cutting of skin and effusion of blood, and the Parlement, after due deliberation, ordered the women delive ed to the spiritual court. Yet, though this was the law at the time, it did not long remain so. Under the ancestral systems of criminal practice, when conviction or acquittal in doubtful cases depended on the ordeal or the judicial duel or on compurgation, the secula courts we e poorly equipped for determining guilt in a crime so obscure, and they naturally abandoned it to the encroachments of the spiritual tribunals. As the use of torture, however, gradually spread, the lay officials became quite as competent as the ecclesiastical to wring confession and conviction from the accused, and they speedily arrogated to themselves the cognizance of such cases. At the South, where the Inquisition had familiarized them with the use of torture at an earlier period, we already, in 1274 and 1275, hear of an inquest held and of wizards and witches put to death by the royal officials in Toulouse. In the North, the trials of the Templars accustomed the public mind to the use of torture, and demonst ated its efficiency, so that the lay courts speedily came to have no hesitation in exercising jurisdiction over sorcery. In 1314 Petronille de Valette was executed in Paris as a sorceress. She had implicated Pierre, a merchant of Poitiers, and his nephew Perrot. They were forthwith put to the ban and

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Summula exigendi Confess. (Harduin VII. 1126).—Myrror of Justice c. I. § 4; c. II. § 22; c. III. § 14.—Regiam Majest. Scotiæ, Edinburgi, 1609, fol. 163–7.

their property sequestrated, but at the place of execution Petronille had exculpated them, declaring them innocent on the peril of her soul. They hastened to Paris and purged themselves, and the Parlement, May 8, 1314, ordered the Seneschal of Poitou to withdraw the proceedings and release the property. Sorcery was now beginning to be energetically suppressed, and henceforth we shall see it occupy the peculiar position of a crime justiciable by both the ecclesiastical and secular courts.*

Spain had been exposed to a peculiarly active infection. The fatalistic belief of the Saracens naturally predisposed them to the arts of divination; they cultivated the occult sciences more zealously than any other race, and they were regarded throughout Europe as the most skilled teachers and practitioners of sorcery. In the school of Cordoba there were two professors of astrology, three of necromancy, pyromancy, and geomancy, and one of the *Ars Notoria*, all of whom lectured daily. Arabic bibliographers enumerate seven thousand seven hundred writers on the interpretation of dreams, and as many more who won distinction as expounders of goetic magic. Intercourse with the Moriscos naturally stimulated among the Christians the thirst for forbidden knowledge, and as the Christian boundaries advanced, there was left in the conquered territories a large subject population allowed to retain its religion, and propagate the beliefs which had so irresistible an attraction. It was in vain that, in 845, Ramiro I. of Asturias burned a large number of sorcerers, including many Jewish astrologers. Such exhibitions of severity were spasmodic, while the denunciation of superstitions in the councils occasionally held indicate the continued prevalence of the evil without the application of an effective remedy. Queen Urraca of Castile, in the early part of the twelfth century, describes her former husband, Alonso el Batallador of Aragon, as wholly given to divination and the augury of birds, and about 1220, Pedro Muñoz, Archbishop of Santiago, was so defamed for necromancy that by order of Honorius III. he was relegated to the hermitage of San Lorenzo. The ancient Wisigothic Law, or Fuero Juzgo, was for a time almost lost sight of in the innumerable local *fueros* which sprang up, until in

* Livres de Jostice et de Plet, pp. 177–83, 284 (Dig. XLVIII. viii. 3., Marcianus).—Beaumanoir, Coutumes du Beauvoisis, Cap. XI. §§ 25, 26.—Olim, II. 205, 619.—Vaissette, IV. 17–18; Chron. Bardin, Ib. IV. Pr. 5.

the eleventh century it was rehabilitated by Fernando I. of Castile. In Aragon, Jayme I., el Conquistador, in the thirteenth century, when recasting the Fuero of Aragon and granting the Fuero of Valencia, introduced penalties for sorcery similar to those of the Fuero Juzgo.* Thus the Wisigothic legislation was practically in force until, about 1260, Alonzo the Wise, of Castile, issued his code known as the *Siete Partidas*, in which all branches of magic are treated as completely under the secular power and in a fashion singularly rationalistic. There is no allusion to heresy or to any spiritual offence involved in occult science, which is to be rewarded or punished as it is employed for good or evil. Astrology is one of the seven liberal arts; its conclusions are drawn from the courses of the stars as expounded by Ptolemy and other sages; when an astrologer is applied to for the recovery of lost or stolen goods, and designates where they are to be found, the party aggrieved has no recourse against him for the dishonor inflicted, because he has only answered in accordance with the rules of his art. But if he is a deceiver, who pretends to know that whereof he is ignorant, the complainant can have him punished as a common sorcerer. These sorcerers and diviners who pretend to reveal the future and the unknown by augury, or lots, or hydromancy, or crystallomancy, or by the head of a dead man, or the palm of a virgin, are deceivers. So are necromancers who work by the invocation of evil spirits, which is displeasing to God and injurious to man. Philtres and love-potions and figurines, to inspire desire or aversion, are also condemned as often causing death and permanent infirmity, and all these practitioners and cheats are to be put to death when duly convicted, while those who shelter them are to be banished. But those who use incantations for a good purpose, such as casting out devils from the possessed, or removing ligatures between married folk, or for dissolving a hail-cloud or fog which threatens the harvests, or for destroying locusts or caterpillars, are not to be punished, but rather to be rewarded.†

* José Amador de los Rios (Revista de España, T. XVII. pp. 382, 384-5, 388, 392-3; T. XVIII. p. 6).—Concil Legionens. ann. 1012 c. 19; C. Compostellan. ann. 1031 c. 6; C. Coyacens. ann. 1050 c. 4; C. Compostellan. ann. 1056 c. 6 (Aguirre, IV. 388, 396, 405, 414).—Histor. Compostellan. Lib. I. c. lxiv.—Pelayo, Heterodoxos Españoles, I. 590.

† Partidas, P. VII. Tit. ix. l. 17; Tit. xxiii. ll. 1, 2, 3.

Italy affords us the earliest example of mediæval legislation on the subject. In the first half of the twelfth century the Norman king of the two Sicilies, Roger, threatened punishment for compounding a love-potion, even though no injury resulted from it. The next recorded measure is found in the earliest known statutes of Venice, by the Doge Orlo Malipieri in 1181, which contain provisions for the punishment of poisoning and sorcery. Frederic II. was accused by his ecclesiastical adversaries of surrounding himself with Saracenic astrologers and diviners, whom he employed as counsellors, and who practised for his benefit all the forbidden arts of augury by the flight of birds and the entrails of victims, but though Frederic shared the universal belief of his age in keeping in his service a corps of astrologers with Master Theodore at their head, and was addicted to the science of physiognomy, he was too nearly a sceptic to have faith in vulgar sorcery. His reputation merely shared the fate of that of his *protégé*, Michael Scot, who translated for him philosophical treatises of Averrhoes and Avicenna. In his collection of laws known as the Sicilian Constitutions, he retained indeed the law of King Roger just alluded to, and added to it a provision that those who administer love-potions, or noxious, illicit, or exorcised food for such purposes, shall be put to death if the recipient loses his life or senses, while if no harm ensues they shall suffer confiscation and a year's imprisonment, but this was merely a concession to current necessities, and he was careful to accompany it with a declaration that the influencing of love or hatred by meat or drink was a fable, and he took no note in his code of any other form of magic. In the Latin kingdoms of the East the Assises de Jerusalem and the Assises d'Antioch are silent on the subject, unless it may be deemed to be comprised in a general clause in the former, declaring that all malefactors and all bad men and bad women shall be put to death. Yet, that sorcery was punished throughout Italy, and was regarded as subject to the secular tribunals, is shown by an expression in the bull *Ad extirpanda* of Innocent IV. in 1252, ordering all potentates in public assembly to put heretics to the ban as though they were sorcerers.*

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* Constitt. Sicular. III. xlii. 1-3.—Cechetti, La Republica di Venizia e la Corte di Roma I. 15.—Chron. Senoniens. Lib. IV. c. 4 (D'Achery II. 631).—

In German legislation the *Treuga Henrici*, about 1224, contains the earliest reference to sorcery, classing it with heresy and leaving the punishment to the discretion of the judge; but the Kayser-Recht, the Sachsische Weichbild, and the Richstich Landrecht contain no allusion to it. In the Sachsenspiegel it is curtly included with heresy and poisoning as punishable with burning, and there is the same provision in the Schwabenspiegel, while in a later recension of the latter the subject is developed by providing that whoever, man or woman, practises sorcery or invokes the devil by words or otherwise, shall be burned or exposed to a harsher death at the discretion of the judge, for he has renounced Christ and given himself to Satan. In this it is evident that the spiritual offence is alone kept in view, without regard to evil attempted or performed, and it would further seem that the matter was within the competence of the secular courts. The earliest legislation of the Prussian marches, about 1310, specifies for sorcerers the loss of an ear, branding on the cheek, exile, or heavy fines, but says nothing of capital punishment. Among the Norsemen the temper of legislation on the subject is to be found in the *Jarnsida*, compiled in 1258 by Hako Hakonsen for his Icelandic subjects, and the almost identical *Leges Gulathingenses*, issued by

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Huillard-Bréholles, Introd. pp. DXXV., DXXX.—Assises de Jerusalem, Baisse Court c. 271 (Ed. Kausler, Stuttgart, 1839).—Mag. Bull. Rom. I. 91.

Frederic's reputation is indicated in the lines—

"Amisit astrologos et magos et vates.
Beelzebub et Astaroth, proprios penates
Tenebrarum consulens per quos potestates
Spreverat Ecclesiam et mundi magnates."

(Huillard-Bréholles, l. c.).

And Michael Scot, to succeeding generations, was not the philosopher, but the magician—

"Michele Scotto fu, che veramente
Delle magiche frode seppe il giuco"—(INFERNO, XX.)

whose wonders are commemorated in the "Lay of the Last Minstrel"—

"In these fair climes it was my lot
To meet the wondrous Michael Scott,
A wizard of such dreaded fame
That when in Salamanca's cave
Him listed his magic wand to wave,
The bells would ring in Nôtre Dame."

his son, Magnus Hakonsen, in 1274, which for five hundred years remained the common law of Norway. Magic, divination, and the evocation of the dead are unpardonable crimes, punished with death and confiscation; but the accused can purge himself with twelve compurgators, according to the Jarnsida, and with six, according to the code of Gula, thus showing that the crime was subject to the secular courts.*

In Sweden there is no allusion to sorcery in the laws compiled early in the thirteenth century by Andreas, Archbishop of Lunden; but in those issued by King Christopher in 1441, attempts on life by poison or sorcery are punished with the wheel for men and lapidation for women, and are tried by the *Nämd*—a sort of permanent jury of twelve men selected in each district as judges. In Denmark the laws in force until the sixteenth century were singularly mild. The accused had the right of defence with selected compurgators; the punishment for a first offence was infamy and withdrawal of the sacraments; for relapse, imprisonment, and finally death for persistent offending. In Sleswick the ancient code of the thirteenth century makes no provision for sorcery, nor does that of the free Frisians in the fourteenth. That this leniency was not the result of outgrowing the ancient superstitions we learn from Olaus Magnus, who characterizes the whole Northern regions as literally the seat of Satan.† In all this confused and varying legislation we can trace a distinct tendency to increased severity after the thirteenth century.

The slight attention paid in the thirteenth century by the Church to a crime so abhorrent as sorcery is proved by the fact

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* Treuga Henrici, No. 21 (Böhlau, Nove Constit. Dom. Alberti, Weimar, 1858, p. 78). — Sachsenspiegel Lib. II. c. 13.— Schwabenspiegel, c. CXVI. § 12 (Ed. Senckenberg); Cod. Uffenbach. c. CCLXXI. § 6.—Lilienthal, Die Hexenprocesse der beiden Städten Braunsberg, Königsberg, 1861, p. 70.—Iarnsida, Mannhelge c. VI., XXV. (Ed. Hafniæ, 1847, pp. 22, 46).—Ll. Gulathingens. Mannhelge-Bolkr, c. IV., XXV. (Ed. Hafniæ, 1817, pp. 137, 197).

† Leges Scaniæ Provin. Andreæ Sunonis Archiep. Lunden. (Thorsen, Skanske Lov, Kjobenhavn, 1853).—Ragvald. Ingermund. Ll. Suecor. Lib. X. c. 5 (Stockholmiæ, 1614).—Canut. Episc. Vibergens. Exposit. Legum Juciæ Lib. III. c. LXIX. (Hafniæ, 1508).—Ancher, Farrago Legum Antiq. Daniæ (Hafniæ, 1776).—Leges Opstalbomicæ ann. 1323 (Gaertner Saxonum Leges Tres, Lipsiæ, 1730).—Olai Magni de Gent. Septentrion. Lib. III. c. 22.

that when the Inquisition was organized it was for a considerable time restrained from jurisdiction over this class of offences. In 1248 the Council of Valence, while prescribing to inquisitors the course to be pursued with heretics, directs sorcerers to be delivered to the bishops, to be imprisoned or otherwise punished. In various councils, moreover, during the next sixty years the matter is alluded to, showing that it was constantly becoming an object of increased solicitude, but the penalty threatened is only excommunication. In that of Trèves, for instance, in 1310, which is very full in its description of the forbidden arts, all parish priests are ordered to prohibit them; but the penalty proposed for disobedience is only withdrawal of the sacraments, to be followed, in case of continued obduracy, by excommunication and other remedies of the law administered by the Ordinaries; thus manifesting a leniency almost inexplicable. That the Church, indeed, was disposed to be more rational than the people, is visible in a case occurring in 1279 at Ruffach, in Alsace, when a Dominican nun was accused of having baptized a waxen image after the fashion of those who desired either to destroy an enemy or to win a lover. The peasants carried her to a field and would have burned her, had she not been rescued by the friars.*

Yet, as the Inquisition perfected its organization and grew conscious of its strength, it naturally sought to extend its sphere of activity, and in 1257 the question was put to Alexander IV. whether it ought not to take cognizance of divination and sorcery. In his bull, *Quod super nonnullis*, which was repeatedly reissued by his successors, Alexander replied that inquisitors are not to be diverted from their duties by other occupations, and are to leave such offenders to their regular judges, unless there is manifest heresy involved, and this rule, at the end of the century, was embodied in the canon law by Boniface VIII. The Inquisition being

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* Concil. Valentin. ann. 1248 c. 12 (Harduin. VII. 427).—C. Cenomanens. ann. 1248 (Martene Ampl. Coll. VII. 1377).—C. Mogunt. ann. 1261 c. 30 (Hartzeim III. 604).—C. Nugaroliens. ann. 1290 c. 4 (Hard. VII. 1161).—C. Baiocens. ann. 1300 c. 63 (Ib. VII. 1234).—C. Trevirens. ann. 1310 c. 79–84 (Martene Thesaur. IV. 257–8).—C. Palentin. ann. 1322 c. 24 (Hard. VII. 1480).—C. Salmanticens. ann. 1335 c. 15 (Ib. VII. 1973–4).—Annal. Domin. Colmariens. ann. 1279 (Urstisii II. 16).

thus in possession of a portion of the field, rapidly extended its jurisdiction. There was no limitation expressed when the pious Alfonse of Toulouse and his wife Jeanne, in 1270, at Aigues-mortes, when starting on the crusade of Tunis, issued letters-patent conceding that their servants and household should be answerable to the Inquisition for abjuration of the faith, heresy, magic, sorcery, and perjury. It is doubtless to this extension of the inquisitorial jurisdiction that we may attribute the increasing rigor which henceforth marked the persecution of sorcery.*

Alexander's definition, it is true, had left open for discussion a tolerably wide and intricate class of questions as to the degree of heresy involved in the occult arts, but in time these came all to be decided "in favor of the faith." It was not simply the worship of demons and making pacts with Satan that were recognized as heretical by the subtle casuistry of the inquisitors. A figurine to be effective required to be baptized, and this argued an heretical notion as to the sacrament of baptism, and the same was the case as to the sacrament of the altar in the various superstitious uses to which the Eucharist was put. Scarce any of the arts of the diviner in forecasting the future or in tracing stolen articles could be exercised without what the inquisitors assumed to be at least a tacit invocation of demons. For this, in fact, they had the authority of John of Salisbury, who, as early as the twelfth century, argued that all divination is an invocation of demons; for if the operator offers no other sacrifice, he sacrifices his body in performing the operation. This refinement was not reduced to practice, but in time the ingenious dilemma was invented that a man who invoked a demon, thinking it to be no sin, was a manifest heretic; if he knew it to be a sin he was not a heretic, but was to be classed with heretics, while to expect a demon to tell the truth is the act of a heretic. To ask of a demon, even without adoration, that which depends upon the will of God, or of man, or upon the future, indicated heretical notions as to the power of demons. In short, as Sylvester Prierias says, it is not necessary to inquire into the motives of those who invoke demons—they are all heretics, real or presumptive. Love-potions and philtres, by a similar system of

* Raynald. ann. 1258, No. 23.—Potthast. No. 17745, 18396.—Eymeric. p. 133. —C. 8, § 4, Sexto v. 2.—Chron. Bardin. ann. 1270 (Vaissette, IV. Pr. 5).

exegesis, were heretical, and so were spells and charms to cure disease, the gathering of herbs while kneeling, face to the east, and repeating the Paternoster, and all the other devices which fraud and superstition had imposed on popular credulity. Alchemy was one of the *septem artes demoniales*, for the aid of Satan was necessary to the transmutation of metals, and the Philosopher's Stone was only to be obtained by spells and charms; although Roger Bacon, in his zeal for practical science, assumes that both objects could be obtained by purely natural means, and that human life could be prolonged for several centuries.* In 1328 the Inquisition of Carcassonne condemned the Art of St. George, through which buried treasure was sought by spreading oil on a finger-nail with certain conjurations, and making a young child look upon it and tell what he saw. Then there was the Notory Art, communicated by God to Solomon, and transmitted through Apollonius of Tyana, which taught the power of the Names and Words of God, and operated through prayers and formulas consisting of unknown polysyllables, by which all knowledge, memory, eloquence, and virtue can be obtained in the space of a month—a harmless delusion enough, which Roger Bacon pronounces to be one of the figments of the magicians, but Thomas Aquinas and Ciruelo prove that it operates

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* Archives de l'Inq. de Carc. (Doat, XXVII. 7).—Bern. Guidon. Practica, P. III. c. 42, 43.—Th. Aquin. Summ. Sec. Sec. xc. 2; xcv. 4.—Johann. Saresberiens. Polycrat. c. xxviii.—Bern. Basin de Artibus Magiæ, conclus. iii.-ix.—Prieriat. de Strigimagar. Lib. III. c. 1.—Eymeric. pp. 342, 443.—Alonso de Spina, Fortalic. Fidei, fol. 51, 284.—Revelat. S. Brigittæ Lib. VII. c. 23.—Archidiac. Gloss. super c. *accusatus* § *sane* (Eymeric. 202).—Rogeri Bacon Op. Tert. c. xii.; Epist. de Secret. Operibus Artis c. vi., vii., ix.-xi.

When, in 1473, some Carmelites of Bologna asserted that it was not heretical to obtain responses from demons, Sixtus IV. promptly ordered an investigation, and directed the results to be transmitted to him under seal.—Pegnæ Append. ad Eymeric. p. 82.

Bernardo di Como draws the nice distinction that it is not heretical to invoke the devil to obtain the illicit love of a woman, for the function of Satan is that of a tempter.—Bernardi Comeus. Lucerna Inquisit. s. v. *Dæmones*, No. 2.

In 1471 the arts of printing and alchemy were coupled together as reprehensible by the Observantine Franciscans, and their practice was forbidden under pain of disgrace and removal. Friar John Neyseeser disobeyed this rule, and "apostatized" to the Conventual branch of the Order, which was less rigid.—Chron. Glassberger ann. 1471.

solely through the devil. A monk was seized in Paris in 1323 for possessing a book on the subject; his book was burned, and he probably escaped with abjuration and penance.*

The most prominent and most puzzling to the lawgiver of all the occult arts was astrology. This was a purely Eastern science—the product of the Chaldean plains and of the Nile valley, unknown to any of the primitive Aryan races, from Hindostan to Scandinavia. When the dominion of Rome spread beyond the confines of Italy it was not the least of the Orientalizing influences which so profoundly modified the original Roman character; and after a struggle it established itself so firmly that in great measure it superseded the indigenous auguries and haruspicium, and by the early days of the empire some knowledge of the influences of the stars formed an ordinary portion of liberal education. The same motives which led to the prohibition of haruspicium—that the death of the emperor was the subject most eagerly inquired into—caused the Chaldeans or astrologers to be the objects of repeated savage edicts, issued even by monarchs who themselves were addicted to consulting them, but it was in vain. Human credulity was too profitable a field to remain uncultivated, and, as Tacitus says, astrologers would always be prohibited and always retained. Although the complexity of the science was such that it could be grasped in its details only by minds exceptionally constituted, through lifelong application, it was brought in homely fashion within the reach of all by restricting it to the observation of the moon, and applying the results by means of the diagram and tables known as the Petosiris, a description of which, attributed to the Venerable Bede, shows how the superstitions of pagandom were transmitted to the Northern races, and were eagerly accepted in spite of the arguments of St. Augustin to prove the nullity of the influence ascribed to the heavenly bodies.†

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* Doat, XXVII. 7; XXX. 185.—Rogeri Bacon Epist. de Secretis operibus Artis c. iii.—Th. Aquin. Summ. Sec. Sec. xcvi. i.—Ciruelo, Reprovacion de las Superstitiones, P. III. c. 1.—Grandes Chroniques V. 272.—Guill. Nangiac. Contin. ann. 1323.—Savonarola contra l' Astrologia, Vinegia, 1536, fol. 33.—Ars Notoria, *ap.* Cornel. Agrippæ Opp. Ed. Lugduni, I. 606.—The Notory Art of Solomon, translated by Robert Turner, London, 1657.

† Tacit. Annal. II. 28-32; III. 22; XII. 14, 52, 68; Histor. II. 62.—Zonaræ T. II. (pp. 185, 192).—Sueton. Vitell. 14. — Tertull. de Idololat. ix.—Lib. IX. Cod.

We have seen astrology classed as one of the liberal arts by Alonso the Wise of Castile, and the implicit belief universally accorded to it throughout the Middle Ages caused it to be so generally employed that its condemnation was difficult. I have alluded above to the confidence reposed by Frederic II. in the science, and to the Dominican astrologer who accompanied the Archbishop of Ravenna when as papal legate he led the crusade against Ezzelin da Romano. Ezzelin himself kept around him a crowd of astrologers, and was led to his last disastrous enterprise by their mistaken counsel. So thoroughly accepted were its principles that when, in 1305, the College of Cardinals wrote to Clement V. to urge his coming to Rome, they reminded him that every planet is most powerful in its own house. Savonarola assures us that at the end of the fifteenth century those who could afford to keep astrologers regulated every action by their advice: if the question were to mount on horseback or to go on board ship, to lay the foundation of a house or to put on a new garment, the astrologer stood by with his astrolabe in hand to announce the auspicious moment—in fact, he says that the Church itself was governed by astrology, for every prelate had his astrologer, whose advice he dared not disregard. It is observable that astrology is not included, as a forbidden practice, in the inquisitorial formulas of interrogation during the thirteenth and fourteenth centuries. No books on astrology seem to be enumerated in the condemnation pronounced in 1290 by the Inquisitor and Bishop of Paris and the Archbishop of Sens, aided by the Masters of the University, on all books of divination and magic—treatises on necromancy, geomancy, pyromancy, hydromancy, and chiromancy, the book of the Ten Rings of Venus, the books of the Greek and German Babylon, the book of the Four Mirrors, the book of the Images of Tobias ben Tricat, the book of the Images of Ptolemy, the book of Hermes the Magician to Aristotle, which they say Aros, or Gabriel, had from God, containing horrible incantations and detestable suffumigations. Astrology does not appear for condemnation in the Articles of the University of Paris in 1398, and the great learning of the irreproachable Cardinal Peter d'Ailly was employed in diffusing belief in its truths. On the

xviii. 2.—Prudent. contra Symmach. II. 449–57.—Bedæ opp. Ed. Migne I. 963–66.—Augustin. de Civ. Dei Lib. v. c. 1–7.

other hand, as early as the twelfth century John of Salisbury, while asserting that the power of the stars was grossly exaggerated, declares that astrology was forbidden and punished by the Church, that it deprived man of free-will by inculcating fatalism, and that it tended to idolatry by transferring omnipotence from the Creator to his creations. He adds that he had known many astrologers, but none on whom the hand of God did not inflict divine vengeance. These views became virtually the accepted doctrine of the Church as expounded by Thomas Aquinas in the distinction that when astrology was used to predict natural events, such as drought or rain, it was lawful; when employed to divine the future acts of men dependent on free-will, it involved the operation of demons, and was unlawful. Zanghino says that though it is one of the seven liberal arts and not prohibited by law, yet it has a tendency to idolatry, and is condemned by the canonists. There was, in fact, much in both the theories and practice of astrologers which trenched nearly upon heresy, not only through demoniac invocations, but because it was impossible that astrology could be cultivated without denying human free-will and tacitly admitting fatalism. The very basis of the so-called science lay in the influence which the signs and planets exercised on the fortunes and characters of men at the hour of birth, and no ingenious dialectics could explain away its practical denial of supervision to God and of responsibility to man. Even Roger Bacon failed in this. He fully accepted the belief that the stars were the cause of human events, that the character of every man was shaped by the aspect of the heavens at his birth, and that the past and future could be read by tables which he repeatedly and vainly sought to construct, yet he was illogical enough to think that he could guard against it by nominally reserving human free-will.* All astrologers thus practised their profession under liabil-

* Rolandini Chron. Lib. XII. c. 2 (Murat. S. R. I. VIII. 344).—Monach. Patavin. Chron. (Ib. VIII. 705).—Raynald. ann. 1305, No. 7.—Savonarola contra l'Astrologia, fol. 25.—Villari, Storia di Savonarola, Ed. 1887, I. 197–8.—MS. Bib. Nat., fonds latin, No. 14930, fol. 229–30.—Doat, XXXVII. 258.—Bern. Guidon. Pract. P. v.—Johann. Saresberiens. Polycrat. II. xix., xx., xxv., xxvi.—Th. Aquin. Summ. Sec. Sec. xcv.—Zanchini Tract. de Hæret. c. xxii.—D'Argentré, I. I. 263; II. 154.—Eymeric. p. 317.—Manilii Astron. Lib. IV.—Rogeri Bacon Op. Tert. c. xi. (M. R. Series I. 35–6. Cf. 559–61).

ity of being at any moment called to account by the Inquisition. That this did not occur more often may be attributed to the fact that all classes, in Church and State, from the lowest to the highest, believed in astrology and protected astrologers, and some special inducement or unusual indiscretion was required to set in motion the machinery of prosecution.

We can thus understand the case of the celebrated Peter of Abano or Apono, irrespective of his reputation as the greatest magician of his age, earned for him among the vulgar by his marvellous learning and his unsurpassed skill in medicine. We have no details of the accusations brought against him by the Inquisition, but we may reasonably assume that there was little difficulty in finding ample ground for condemnation. In his *Conciliator Differentium*, written in 1303, he not only proved that astrology was a necessary part of medicine, but his estimate of the power of the stars practically eliminated God from the government of the world. The Deluge took place when the world was subject to Mars, in consequence of the conjunction of the planets in Pisces; it was under the lead of the moon when occurred the confusion of tongues, the destruction of Sodom and Gomorrah, and the exodus from Egypt. Even worse was his Averrhoistic indifference to religion manifested in the statement that the conjunction of Saturn and Jupiter in the head of Aries, which occurs every nine hundred and sixty years, causes changes in the monarchies and religions of the world, as appears in the advent of Nebuchadnezzar, Moses, Alexander the Great, Christ, and Mahomet—a speculation of which the infidelity is even worse than the chronology.* It is not surprising that the Inquisition took hold of one whose great name was popularizing such doctrines in the University of Padua, especially as there was a large fortune to be confiscated. We are told that he at first escaped its clutches, but this probably was

* P. de Abano Conciliator Different. Philos. Diff. ix., x. (Ed. Venet. 1494, fol. 14–15.). Cf. Albumasar de Magnis Conjunctionibus Tract III. Diff. i. (Aug. Vindel. 1489).

The *Conciliator* was a work of immense reputation. The preface of the edition of 1494 speaks of three or four previous printed editions, and there were repeated later ones up to 1596. Curiously enough, it was never included in the Roman and Spanish Indexes, though it appears in that of Lisbon of 1624 (Reusch, der Index der verbotenen Bücher, I. 35).

only through confession and abjuration, so that when he was prosecuted a second time it was for relapse. That he would have been burned there can be little doubt, had he not evaded the stake by opportunely dying in 1316, before the termination of his trial, for he was posthumously condemned: according to one account his bones were burned; according to another his faithful mistress Marietta conveyed them secretly away, and an effigy was committed to the flames in his place. If Benvenuto da Imola is to be believed, he lost his faith in the stars on his death-bed, for he said to his friends that he had devoted his days to three noble sciences, of which philosophy had made him subtle, medicine had made him rich, and astrology had made him a liar. His name passed into history as that of the most expert of necromancers, concerning whom no marvels were too wild to find belief. It mattered little that Padua erected a statue to him as to one of her greatest sons, and that Frederic, Duke of Urhino, paid him the same tribute. Like Solomon and Hermes and Ptolemy, so long as magic flourished his name served as an attractive frontispiece to various treatises on incantations and the occult sciences.*

Very similar, but even more illustrative, is the case of Cecco d'Ascoli. He early distinguished himself as a student of the liberal arts, and devoted himself to astrology, in which he was reckoned the foremost man of his time. His vanity led him to proclaim himself the profoundest adept since Ptolemy, and his caustic and biting humor made him abundance of enemies. Regarding astrology as a science, he inevitably brought it within Aquinas's definition of heresy. In his conception the stars ruled everything. A man born under a certain aspect of the heavens was doomed to be rich or poor, lucky or unlucky, virtuous or vicious, unless God should interfere specially to turn aside the course of nature. Cecco boasted that he could read the thoughts

* Bayle, s. v. Apone.—G. Naudé, Apologie pour les Grands Hommes, Ch. xiv. —Muratori Antiq. Ital. III. 874–5.

For the printed works attributed to Peter of Abano, see Grässe, "Bibliotheca Magica et Pneumatica," Leipzig, 1843. The one by which he is best known is the "Heptameron seu Elementa Magiæ," a treatise on the invocation of demons, printed with the works of Cornelius Agrippa. This version, however, is incomplete. A fuller and better one is among the MSS. of the Bibliothèque Nationale, fonds latin, No. 17870.

of a man or tell what he carried in his closed hand by knowing his nativity and comparing it with the position of the stars at the moment, for no one could help doing or thinking what the stars at the time rendered inevitable. All this was incompatible with free-will, it limited the intervention of God, it relieved man from responsibility for his acts, and it thus was manifestly heretical. So his numerous predictions, which we are told were verified, as to the fortunes of Louis of Bavaria, of Castruccio Castrucani, of Charles of Calabria, eldest son of Robert of Naples, won him great applause in that stirring time, yet, as they were not revealed by the divine spirit of prophecy, but were foreseen by astrologic skill, they implied the forbidden theory of fatalism. Cecco became official astrologer to Charles of Calabria, but his confidence in his science and his savage independence unfitted him for a court. On the birth of a princess (presumably the notorious Joanna I.), he pronounced that the stars in the ascendant would render her not only inclined, but absolutely constrained, to sell her honor. The unwelcome truth cost him his place, and he betook himself to Bologna, where he publicly taught his science. Unluckily for him, he developed his theories in commentaries on the *Sphæra* of Sacrobosco.* Villani tells us that in this he taught how, by incantations under certain constellations, malignant spirits could be constrained to perform marvels, but this manifestly is only popular rumor; such practices were wholly inconsistent with his conceptions, and there is no allusion to them in the inquisitorial proceedings. Cecco's audacity, however, rendered the book amply offensive to pious ears. To illustrate his views he cast the horoscope of Christ, and showed how Libra, ascending in the tenth degree, rendered his crucifixion inevitable; as Capricorn was at

* The *Sphæra* of Sacrobosco is a remarkably lucid and scientific statement of all that was known, in the thirteenth century, about the earth in its cosmical relations. Although it accepts, of course, the current theory of the nine spheres, it indulges in no astrological reveries as to the influence of the signs and planets on human destiny. It remained for centuries a work of the highest authority, and so lately as 1604, sixty years after the death of Copernicus, and on the eve of the development of the new astronomy by Galileo, it was translated, with a copious commentary, by a professor of mathematics in the University of Siena, Francesco Pifferi, whose astrological credulity offers a curious contrast to the severe simplicity of the original.

the angle of the earth, he was necessarily born in a stable; as Scorpio was in the second degree, he was poor; while Mercury in his own house in the ninth section of the heavens rendered his wisdom profound. In the same way he proved that Antichrist would come two thousand years after Christ, as a great soldier nobly attended, and not surrounded by cowards as was Christ. This was almost a challenge to the Inquisition, and Frà Lamberto del Cordiglio, the Bolognese inquisitor, was not slow to take it up. Cecco was forced to abjure, December 16, 1324, and was mercifully treated. He was condemned to surrender all his books of astrology and forbidden to teach the science in Bologna, publicly or privately; he was deprived of his Master's degree and subjected to certain salutary penance of fasting and prayer, together with a fine of seventy-five lire, which latter may possibly explain the lightness of the rest of the sentence. The most serious feature of the affair for him was that now he was a penitent heretic who could expect no further mercy; it behooved him to walk warily, for in case of fresh offence he would be a relapsed, doomed inevitably to the stake. Cecco's temperament, however, was not one to brook such constraint. He came to Florence, then under the rule of Charles of Calabria, and resumed the practice of his art. He circulated copies of his forbidden work, which he claimed had been corrected by the Bolognese inquisitor, but which contained the same erroneous doctrines; he advanced them anew in his philosophical poem, *L'Acerba*, and he employed them in the responses given to his numerous clients. In May, 1327, when all Italy was excited at the coming of Louis of Bavaria, he predicted that Louis would enter Rome and be crowned, he announced the time and manner of his death, and gave advice, which was followed, not to attack him when he passed by Florence. Perhaps all this might have escaped animadversion but for the personal enmity and jealousy of Charles of Calabria's chancellor, the Bishop of Aversa, and of Dino del Garbo, a renowned doctor of philosophy, esteemed the best physician in Italy. Be this as it may, in July, 1327, Frà Accursio, the Inquisitor of Florence, arrested him. There was ample evidence that he had continued to teach and act on the fatalistic theories which were subversive of free-will, but the Inquisition as usual required a confession, and torture was freely used to obtain it. A copy of the sentence and abjuration

of 1324 was furnished by the Inquisitor of Bologna, and there was no question as to his relapse. From the beginning the end was inevitable, but there was a mockery of opportunity for defence allowed him, and it was not until December 15 that sentence was pronounced. In accordance with rule, the Bishop of Florence sent a delegate to act with the inquisitor, and an assembly of high dignitaries and experts was assembled to participate, including the Cardinal-legate of Tuscany, the Bishop of Aretino, and Cecco's enemy, the chancellor of Duke Charles. He was abandoned to the secular arm and delivered to Charles's vicar, Jacopo da Brescia. All his books and astrological writings were further ordered to be surrendered within twenty-four hours to the bishop or inquisitor. Cecco was forthwith conducted to the place of execution beyond the walls. Tradition relates that he had learned by his art that he should die between Africa and "Campo Fiore," and so sure was he of this that on the way to the stake he mocked and ridiculed his guards; but when the pile was about to be lighted he asked whether there was any place named Africa in the vicinage, and was told that that was the name of a neighboring brook flowing from Fiesole to the Arno. Then he recognized that Florence was the Field of Flowers and that he had been miserably deceived.*

Astrology continued to hold its doubtful position with a growing tendency to its condemnation. There were few who could take the common-sense view of Petrarch, that astrologers might be useful if they confined themselves to predicting eclipses and storms, and heat and cold, but that when they talked about the fate of men, known only to God, they simply proved themselves to be liars. Eymerich tells us that if a man was suspected of necromancy and was found to be an astrologer it went far to prove him a necromancer, for the two were almost always conjoined. Gerard Groot denounced astrology as a science hostile to God and aiming to supersede his laws. In Spain, in the middle of the fourteenth

* Villani x. 40, 41.—Lami, Antichità Toscane, pp. 593-4.—Raynald. ann. 1327, No. 46.—Cantù, Eretici d' Italia, I. 149-52.

I owe many of the above details to a sketch of Cecco's life in a Florentine MS. which I judge from the handwriting to be of the seventeenth century, and of which the anonymous author appears to be well informed; also, to a MS. copy of the elaborate sentence, much more full than the fragments given by Lami and Cantù.

century, both Pedro the Cruel of Castile and Pedro IV. of Aragon kept many astrologers whom they constantly consulted, but in 1387 Juan I. of Castile included astrology among other forms of divination subject to the penalties of the Partidas. Yet it continued to number its votaries among high dignitaries of both State and Church. The only shade on the lustre of Cardinal Peter d'Ailly's reputation was his earnest devotion to the science, and it would have gone hard with him had justice been meted out to him as to Cecco d'Ascoli, for it was impossible for the astrologer to avoid fatalism. It was a curiously erroneous prediction of his, uttered in 1414, that, in consequence of the retrogression of Jupiter in the first house, the Council of Constance would result in the destruction of religion, and peace in the Church would not be obtained; that, in fact, the Great Schism was probably the prelude to the coming of Antichrist. More fortunate was the computation by which he arrived at the date of 1789 as that which would witness great perturbations if the world should so long endure. The tolerance which spared Cardinal d'Ailly did not proceed from any change in the theory of the Church as to the heresy of interfering with the doctrine of free-will. Alonso de Spina points out that the astrological belief that men born under certain stars cannot avoid sinning is manifestly heretical. None the less so was the teaching that when the moon and Jupiter were in conjunction in the head of the Dragon any one praying to God could obtain whatever he wanted, as Peter of Abano found when he used this fortunate moment to secure stores of knowledge beyond the capacity of the unassisted human mind. Sprenger, the highest authority on demonology, held that in astrology there was a tacit pact with the demon.* All this shows that in the increasing hostility to occult arts astrology had gradually come under the ban, and the disputed question as to its position was finally brought to

* Petrarchi de Rebus Senilibus Lib. III. Epist. 1.—Eymeric. p. 443.—Acquoy, Gerardi Magni Epistt. pp. 111-19.—Amador de los Rios (Revista de España, T. XVIII. p. 9).—Novisima Recopilacion, Lib. XII. Tit. iv. l. 1.—Concord. Astron. Veritatis et Narrat. Histor. c. lix., lx. (August. Vindel. 1490).—Fortalic. Fidei Lib. II. Consid. vi.—Savonarola contra l'Astrol. fol. 26.—Bayle, s. v. Apone.—Malleus Malef. P. I. Q. xvi.

The supreme power of the conjunction of Jupiter and the moon above alluded to is probably based on Albumasar de Magnis Conjunctionibus Tract. III. Diff. 2.

a decision, at least for France, by the case of Simon Pharees, in 1494. He had been condemned by the archiepiscopal court of Lyons for practising astrology, and was punished with the light penance of Friday fasting for a year, with the threat of perpetual imprisonment for relapse, and his books and astrolabe had been detained. He had the audacity to appeal to the Parlement, which referred his books to the University. The report of the latter was that his books ought to be burned, even as others had recently been to the value of fifty thousand deniers. All astrology pretending to be prophetic, or ascribing supernatural virtue to rings, charms, etc., fabricated under certain constellations, was denounced as false, vain, superstitious, and condemned by both civil and canon law, as well as the use of the astrolabe for finding things lost or divining the future, and the Parlement was urged to check the rapid spread of this art invented by Satan. The Parlement accordingly pronounced a judgment handing over the unlucky Simon to the Bishop and Inquisitor of Paris, to be punished for his relapse. Astrology, which is described as practised openly everywhere, is condemned. All persons are prohibited from consulting astrologers or diviners about the future, or about things lost or found; all printers are forbidden to print books on the subject, and are ordered to deliver whatever copies they may have to their bishops, and all bishops are instructed to prosecute astrologers. This was a very emphatic condemnation, but, in the existing condition of human intelligence, it could do little to check the insatiable thirst for impossible knowledge. Yet there were some superior minds which rejected the superstition. The elder Pico della Mirandola and Savonarola were of these, and Erasmus ridiculed it in the Encomium Moriæ.*

The question of oneiroscopy, or divination by dreams, was a puzzling one. On the one hand there was the formal prohibition of the Deuteronomist (XVIII. 10), which in the Vulgate included

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* D'Argentré I. II. 325–31.—Erasmi Encom. Moriæ, Ed. Lipsiens. 1829, III. 360.

The superstitions concerning comets scarce come within our present scope. They will be found ably discussed by Andrew D. White in the Papers of the American Historical Association, 1887. We are told by a contemporary that Henry IV. lost his life in 1610 through neglect of the warning sent him by the learned Doctor Geronymo Oller, priest and astrologer of Barcelona, based upon the portents of a comet which appeared in 1607.—(Guadalajara y Xavierr, Expulsion de los Moriscos, Pampeluna, 1613, fol. 107).

the observer of dreams in its denunciations; on the other there were the examples of Joseph and Daniel, and the formal assertion of Job "when deep sleep falleth upon man, in slumberings upon the bed, then he openeth the ears of men and sealeth their instruction" (Job xxxiii. 15, 16). In the twelfth century the expounding of dreams was a recognized profession which does not seem to have been forbidden. John of Salisbury endeavors to prove that no reliance is to be placed on them; Joseph and Daniel were inspired, and short of inspiration no divination from dreams is to be trusted. This, at least, was a more sensible and practical solution than the conclusion reached by Thomas Aquinas that divination from dreams produced by natural causes or divine revelation is licit, but if the dreams proceed from dæmonic influence it is illicit. Tertullian had long before ascribed to the pagans the power of sending prophetic dreams through the agency of demons, but unfortunately, no one could furnish a criterion to distinguish between the several classes of visions, and as a rule the dream-expounders were regarded as harmless.*

There was another class of cases which puzzled the casuists, for the bounds which divided sacred from goetic magic were very vague. There was a practice of celebrating mortuary masses in the name of a living man, under the belief that it would kill him. As early as 694 the seventeenth Council of Toledo prohibits this, under pain of degradation for the officiating priest and perpetual exile for him and for his employer; and in the middle of the fifteenth century the learned Lope Barrientos, Bishop of Cuenca, condemns it unreservedly. Yet a MS. of uncertain date, printed by Wright, while pronouncing it sin if done through private malice, for which the officiating priest should be deposed unless he purge himself with due penance, states that for a public object it is not a sin, because it manifests humility in placating God. Somewhat similar was a question which arose during a quarrel between Henry, Bishop of Cambrai, and his chapter in 1500. As a mode of revenge the dean, provost, and canons suspended divine service, for which they were excommunicated by the Archbishop of Reims. Under this pressure they resumed their holy functions, but varied them by introducing in the canon of the mass a sort of impreca-

* Johann. Saresberiens. Polycrat. c. xiv.–xvii.—Th. Aquin. Summ. Sec. Sec. xcv. 6.—Tertull. Apol. 23.

tory litany, composed of comminatory fragments from the psalms and prophets, recited by the officiating priest with his back to the altar, while the responses were given by the boys in the choir. The frightened bishop appealed to the University of Paris, which, after many months' deliberation, gravely decided that the position of the priest and the responses of the boys rendered the services suspect of incantation; that imprecatory services are to be dreaded by those who give cause for them; that they are not lightly to be used, especially against a bishop who is ready for settlement in the courts, and that they ought not to be employed even against a contumacious bishop except in case of necessity arising from extreme peril.*

When, towards the close of the thirteenth century, the Inquisition succeeded in including sorcery within its jurisdiction, its organizing faculty speedily laid down rules and formulas for the guidance of its members which aided largely in shaping the uncertain jurisprudence of the period and gave a decided impulse to the persecution of those who practised the forbidden arts. A manual of practice, which probably bears date about the year 1280, contains a form for the interrogation of the accused covering all the details of sorcery as known at the time. This served as the foundation on which still more elaborate formulas were constructed by Bernard Gui and others. If space permitted, a reproduction of these would present a tolerably complete picture of current superstitions, but I can only pause to call attention to one feature in them. The earliest draught contains no allusion to the nocturnal excursions of the "good women" whence the Witches' Sabbat was derived, while the later ones introduce an interrogation concerning it, showing that during the interval it was attracting increased attention. It is further noteworthy that none of the formulas embrace questions concerning practices of vulgar witchcraft, which in the fifteenth and succeeding centuries, as we shall see, furnished nearly the whole basis of prosecutions for sorcery.†

* Concil. Toletan. XVII. ann. 694, c. v.—Amador de los Rios (Revista de España, T. XVIII. p. 19).—Wright, Proceedings against Dame Alice Kyteler, pp. xxxii.–xxxiii.—D'Argentré, I. II. 344–5.

† MSS. Bib. Nat., fonds latin, No. 14930 fol. 229–30.—Doat, XXXVII. 258.—Vaissette, III. Pr. 374.—Bern. Guidon. Pract. P. v.

Molinier (Études sur quelques MSS. des Bibliothèques d'Italie, Paris, 1877,

When sorcery thus came under the jurisdiction of the Inquisition it came simply as heresy, and the whole theory of its treatment was altered. The Inquisition was concerned exclusively with belief; acts were of interest to it merely as evidence of the beliefs which they inferred, and all heresies were equal in guilt, whether they consisted in affirming the poverty of Christ or led to demon-worship, pacts with Satan, and attempts on human life. The sorcerer might, therefore, well prefer to fall into the hands of the Inquisition rather than to be judged by the secular tribunals, for in the former case he had the benefit of the invariable rules observed in dealings with heresy. By confession and abjuration he could always be admitted to penance and escape the stake, which was the customary secular punishment; while, having no convictions such as animated the Cathari and Waldenses, it cost his conscience nothing to make the necessary recantation. In the inquisitorial records, in so far as they have reached us, we meet with no cases of hardened and obdurate demon-worshippers. Inquisitorial methods could always secure confession, and the inquisitorial manuals give us examples of the carefully drawn formulas of abjuration administered and forms for the sentences to be pronounced. It may perhaps be questioned whether the fiery torture of the stake were not preferable to the inquisitorial mercy which confined its penitents to imprisonment for life in chains and on bread and water; but few men have resolution to prefer a speedy termination to their sufferings, and there was always the hope that exemplary conduct in prison might earn a mitigation of the penalty. It was probably in consequence of this apparent lenity that Philippe le Bel, in 1303, forbade the Inquisition to take cognizance of usury, sorcery, and other offences of the Jews; and we shall see hereafter that when it was forced to summon all its energies in the epidemics of witchcraft, it was obliged to abandon the rule and find excuses for delivering its repentant victims to the stake.*

About this time Zanghino gives us the current Italian ecclesiastical view of the subject. In his detailed description of the various species of magic, vulgar witchcraft finds no place, showing

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pp. 35, 45) mentions the occurrence of similar formulas in the other manuals of the period.

* Bern. Guidon. Pract. P. III. 42, 43; P. V. vii. 12.—Doat, XXVII. 150.

that it was unknown in Italy as in France. All such matters are under episcopal jurisdiction, and the Inquisition cannot meddle with them unless they savor of manifest heresy. But it is heretical to assert that the future can be foretold by such means, as this belongs to God alone; to receive responses from demons is heretical, or to make them offerings, or to worship sun, moon, or stars, planets or the elements, or to believe that anything is to be obtained except from God, or that anything can be done without the command of God, or that anything is proper and lawful which is disapproved by the Church. All this falls within the jurisdiction of the Inquisition, and it will be seen that the meshes of the net were small enough to let little escape. The penalties of death and confiscation, to be inflicted by the secular judge, doubtless refer to the impenitent and relapsed, as the cases which savored of heresy were punished as heresy by the inquisitor. Magic which did not thus savor of manifest heresy was subject to the episcopal courts, and was punishable by declaring the offender in mortal sin and debarred from communion; he and those who employed him were infamous; he was to be warned to abstain, with excommunication and other penalties, at the episcopal discretion, in case of disobedience. Yet the secular power by no means abandoned its jurisdiction over sorcery, which continued to be subject to the lay as well as to the ecclesiastical courts. The time, moreover, had not come for the pitiless extermination of all who dabbled in forbidden arts. By the Milanese law of the period the punishment of the sorcerer was left to the discretion of the judge, who could inflict either corporal or pecuniary penalties proportioned to the gravity of the offence.*

Sorcery was one of the aberrations certain to respond to persecution by more abundant development. So long as its reality was acknowledged and its professors were punished, not as sharpers, but as the possessors of evil powers of unknown extent, the more public attention was drawn to it the more it flourished. As soon as the Inquisition had systematized its suppression, we begin to find it occupy a larger and larger share of public attention. In 1303 one of the charges brought against Boniface VIII., in the Assem-

* Zanchini Tract. de Hæret. c. xxii.—Statuta Crimiualia Mediolani e tenebris in lucem edita c. 63 Bergami, 1594).

bly of the Louvre, was that he had a familiar demon who kept him informed of everything, and that he was a sorcerer who consulted diviners and soothsayers. About the same time the Bishop of Coventry and Lichfield, treasurer of Edward I., was accused of murder, simony, and adultery, to which was added that he consulted the devil, to whom he had rendered homage and kissed on the posteriors. King Edward intervened energetically in his behalf, and an inquisition ordered upon him by Boniface reported that the common fame existing against him proceeded from his enemies, so that he was allowed to purge himself with thirty-seven compurgators. In 1308 the Sire d'Ulmet was brought to Paris on the charge of endeavoring to kill his wife by sorcery, and the women whom he had employed were burned or buried alive. We have seen how nearly akin to these accusations were the charges brought against the Templars, and the success of that attempt was suggestive as to the effectiveness of the methods employed. When, after the death of Philippe le Bel, Charles of Valois was resolutely bent on the destruction of Enguerrand de Marigny, and the long proceedings which he instituted threatened to prove fruitless, it was opportunely discovered that Enguerrand had instigated his wife and sister to employ a man and woman to make certain waxen images which should cause Charles, the young King Louis Hutin, the Count of Saint-Pol, and other personages to wither and die. As soon as Charles reported this to Louis, the king withdrew his protection and the end was speedy. April 26, 1315, Enguerrand was brought before a selected council of nobles at Vincennes and was condemned to be hanged, a sentence which was carried out on the 30th; the sorcerer was hanged with him and the sorceress was burned, the images being exhibited to the people from the gallows at Montfaucon, which Enguerrand himself had built, while the Dame de Marigny and her sister, the Dame de Chantelou, were condemned to imprisonment. Thus Enguerrand perished by the methods which he and his brother, the Archbishop of Sens, had used against the Templars, and the further moral of the story is seen in the remorse of Charles of Valois, ten years later, when he lay on his death-bed and sent almoners through the streets of Paris to distribute money among the poor, crying, "Pray for the soul of Messire Enguerrand de Marigny, and of Messire Charles de Valois!" One of the accusations against Bernard Délicieux was

that he had attempted the life of Benedict XI. by magic arts, and although this failed of proof, he confessed under torture that a book of necromancy found in his chest belonged to him, and that certain marginal notes in it were in his own handwriting. In this he could not have been alone among his brethren, for in the general chapter of the Franciscans in 1312 a statute was adopted forbidding, under penalty of excommunication and prison, any member of the Order from possessing such books, and dabbling in alchemy, necromancy, divination, incantation, or the invocation of demons.*

The growing importance of sorcery in popular belief received a powerful impetus from John XXII., who in so many ways exercised on his age an influence so deplorable. As one of the most learned theologians of the day, he had full convictions of the reality of all the marvels claimed for magic, and his own experience led him to entertain a lively dread of them. The circumstances of his election were such as to render probable the existence of conspiracies for his removal, and he lent a ready ear to suggestions concerning them. His barbarity towards the unfortunate Hugues, Bishop of Cahors, has been already alluded to, and before the first year of his reign was out he had another group of criminals to dispose of. In 1317 we find him issuing a commission to Gaillard, Bishop of Reggio, and several assessors to try a barber-surgeon named Jean d'Amant and sundry clerks of the Sacred Palace on the charge of attempting his life. Under the

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* Differend de Boniface VIII. et de Ph. le Bel, Preuves, 103.—Rymer, Fœd. II. 931–4.—Joann. S. Victor. Vit. Clement. V. (Muratori S. R. I. III. II. 457).—Grandes Chroniques V. 317–20, 291.—Guill. Naugiac. Contin. ann. 1315, 1325.—MSS. Bib. Nat., fonds latin, No. 4270 fol. 87–8, 144–5.

Enguerrand de Marigny had been all-powerful under Philippe le Bel, controlling the papal as well as the royal court, and his marvellous rise from obscurity led to the popular impression that he must be a skilful necromancer—

"Ce fu cil qui fist cardonnaux,
Et si le pape tint en ses las,
Qui de petits clers fist prélats—
—Si orent mainte gent créance
Que ce par art de nigromance
Fait, qu'en ce monde faisoit."—
Godefroi de Paris, v. 6620–9.

persuasive influence of torture they confessed that they had at first intended to use poison, but finding no opportunity for this they had recourse to figurines, in the fabrication of which they were skilled. They had made them under the invocation of demons; they could confine demons in rings and thus learn the secrets of the past and of the future; they could induce sickness, cause death, or prolong life by incantations, charms, and spells consisting simply of words. Of course they were condemned and executed, and John set to work vigorously to extirpate the abhorred race of sorcerers to which he had so nearly fallen a victim. We hear of proceedings against Robert, Bishop of Aix, accused of having practised magic arts at Bologna; and John, regarding the East as the source whence this execrable science spread over Christendom, sought to attack it in its home. In 1318 he ordered the Dominican provincial in the Levant to appoint special inquisitors for the purpose in all places subject to the Latin rite, and he called upon the Doge of Venice, the Prince of Achaia, and the Latin barons to lend their effective aid. He even wrote to the Patriarch of Constantinople and the Oriental archbishops, urging them to assist in the good work. Not satisfied with the implied jurisdiction conferred on the Inquisition by Alexander IV., in 1320 he had letters sent out by the Cardinal of S. Sabina formally conferring it fully on inquisitors and urging them to exercise it actively. Subsequent bulls stimulated still further the growing dread of magic by expressing his grief at the constant increase of the infection which was spreading throughout Christendom, and by ordering sorcerers to be publicly anathematized and punished as heretics and all books of magic lore to be burned. When he warned all baptized Christians not to enter into compacts with hell, or to imprison demons in rings or mirrors so as to penetrate the secrets of the future, and threatened all guilty of such practices that, if they did not reform within eight days, they should be subject to the penalties of heresy, he took the most effective means to render the trade of the sorcerer profitable and to increase the number of his dupes. Apparently he became dissatisfied with the response to these appeals, for in 1330 he deplored the continued existence of demon-worship and its affiliated errors; he ordered the prelates and inquisitors to speedily bring to conclusion all cases on hand and send the papers under seal to him

for decision, and the inquisitors were commanded to undertake no new cases without a special papal mandate. Whatever may have been the motive of this last prohibition, it was not allowed to take effect in France. We have seen how the royal power about this time was commencing to exercise control over the Inquisition, and we shall see how, at the close of his life, John XXII. was accused of heresy as to the Beatific Vision, and was roundly threatened by Philippe de Valois. It was probably an incident of this quarrel that led the king, in 1334, to assume that the jurisdiction of the Inquisition over idolators, sorcerers, and heretics had been conferred by the crown, and to order his seneschals to see that no one should interfere with them in its exercise. This royal rescript seems to have been forgotten with the circumstances which called it forth, for in 1374 the Inquisitor of France applied to Gregory XI. to ask whether he should take cognizance of sorcery, and Gregory replied with instructions to prosecute such cases vigorously.*

The necessary result of all this bustling legislation was to strengthen the popular confidence in sorcery and to multiply its practice. In Bernard Gui's book of sentences rendered in the Inquisition of Toulouse from 1309 to 1323, there are no cases of sorcery, but we meet with several, tried in 1320 and 1321 in the episcopal Inquisition of Pamiers, and the fragmentary records of Carcassonne in 1328 and 1329 show quite a number of convictions. Inquisitors, moreover, commenced to insert a clause renouncing sorcery in all abjurations administered to repentant heretics, so that in case they should become addicted to it they could be promptly burned for relapse.†

Under the influence of this efficient advertisement the trade of the sorcerer flourished. In 1323 a remarkable case attracted much attention in Paris. The dogs of some shepherds, passing a cross-roads near Chateau-Landon, commenced scratching at a certain spot and could not be driven off. The men's suspicions were aroused, and they informed the authorities, who, on digging, found

* Raynald. ann. 1317, No. 52-4; ann. 1318, No. 57; ann. 1320, No. 51; ann. 1327, No. 45.—Mag. Bull. Roman. I. 205.—Ripoll II. 192.—Arch. des Frères Prêcheurs de Toulouse (Doat, XXXIV. 181).—Arch. de l'Inq. de Carc. (Doat, XXXV. 89).—Vaissette, IV. Pr. 28.—Raynald. ann. 1374, No. 18.

† Molinier, Études de quelques MSS. des Bibliothèques d'Italie, Paris, 1877, pp. 102-3.—Doat, XXVII. 7 sqq., 140, 156, 177, 192; XXVIII. 161.

a box in which was imprisoned a black cat, with some bread moistened with chrism, blessed oil, and holy water, two small tubes being arranged to reach the surface and supply the animal with air. All the carpenters in the village were summoned, and one identified the box, which he had made for a certain Jean Prevost. Torture promptly brought a confession inculpating the Cistercian abbot of Sarcelles, some canons, a sorcerer named Jean de Persant, and an apostate Cistercian monk, his disciple. The abbot, it seems, had lost a sum of money, and had employed the sorcerer to recover it and find the thief. The cat was to remain three days in the box, to be then killed, and its skin cut into strips, with which a circle was to be made. In this circle a man standing with the remains of the cat's food thrust into his rectum was to invoke the demon Berich, who would make the desired revelation. The Inquisitor of Paris and the episcopal Ordinary promptly tried the guilty parties. Prevost opportunely died, but his remains were burned with his accomplice de Persant, while the ecclesiastics escaped with degradation and perpetual imprisonment. It is evident that de Persant was not allowed the benefit of abjuration, while the Cistercians were exposed to a penalty more severe than those imposed by the rules of their Order. These had been defined in the general chapter of 1290 to be merely incapacity for promotion, or for taking any part in the proceedings of the body, the lowest seat in choir and refectory, and Friday fasting on bread and water until released by the general chapter. The intervening quarter of a century had, however, wrought a most significant change in the attitude of the Church towards this class of offences.*

The monastic orders evidently contributed their full share to this class of criminals. We happen to have the sentence, in 1329, by Henri de Chamay, of a Carmelite named Pierre Recordi, which illustrates the effectiveness of inquisitorial methods in obtaining avowals. The trial lasted for several years, and though the accused tergiversated and retracted repeatedly, his endurance finally gave way. He adhered at last to the confession that on five occasions, to obtain possession of women, he had made wax figurines with invocations of demons, mixing with them the blood

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Guill. Nangiac. Contin. ann. 1323.—Grandes Chroniques V. 269–73.—Statut Ord. Cistere. ann. 1290 c. 2 (Martene Thesaur. IV. 1485).

of toads and his own blood and saliva, as a sacrifice to Satan. He would then place the image under the threshold of the woman, and if she did not yield to him she would be tormented by a demon. In three cases this had succeeded; in the other two it would have done so, had he not been suddenly sent by his superiors to another station. On one occasion he pricked an image in the belly, when it bled. After the images had done their work he would cast them into the river and sacrifice a butterfly to the demon, whose presence would be manifested by a breath of air. He was condemned to perpetual imprisonment on bread and water, with chains on hands and feet, in the Carmelite convent of Toulouse; out of respect to the Order he was not subjected to the ceremony of degradation, and the sentence was rendered privately in the episcopal palace of Pamiers. One peculiar feature of the sentence is the apprehension expressed lest the officials of the convent should allow him to escape.*

The trade of the magician received a further advertisement in the story current at this time about Frederic of Austria. When, after his defeat at Mühldorf in 1322, by Louis of Bavaria, he lay a prisoner in the stronghold of Trausnitz, his brother Leopold sought the services of an expert necromancer, who promised to release the captive through the aid of the devil. In response to his invocation, Satan came in the guise of a pilgrim, and readily promised to bring Frederic to them if he would agree to follow him; but when he appeared to Frederic and told him to get into a bag which he carried around his neck and he would bring him to his brother in safety, Frederic asked him who he was. "Never mind who I am," he replied: "Will you leave your prison, as I tell you?" Then a great fear fell upon Frederic; he crossed himself and the devil disappeared.†

Even to distant Ireland the persecution of sorcery was brought in 1325 by that zealous Franciscan, Richard Ledrede, Bishop of Ossory. The Lady Alice Kyteler of Kilkenny had had four husbands, and their testamentary dispositions not suiting her children by the last three, the most efficient means of breaking their wills was to accuse her of having killed them by sorcery, after bewitch-

* Archives de l'Inq. de Carcassonne (Doat, XXVII. 150).

† Matt. Neoburg. (Alb. Argentorat.) ann. 1323 (Urstisii II. 123).—Chronik des Jacob v. Königshofen (Chroniken der deutschen Städte, VII. 467).

ing them to leave their property to her and to her eldest son, William Outlaw. Bishop Ledrede proceeded vigorously to make inquisition, but Lady Alice and William were allied to the leading officials in Ireland, who threw every difficulty in the way, and, as the canons against heresy were unknown in the island, he had an arduous task, being himself at one time arrested and thrown into prison. A less indomitable spirit would have succumbed, but he triumphed at last, though Lady Alice herself escaped his clutches and was conveyed to England. The trials of her assumed accomplices would seem to have been conducted without much respect to form, but with ample energy. Torture being unknown in English law, the bishop might have failed in eliciting confession had he not found an effective, if illegal, substitute in the whip. Petronilla, for instance, one of Lady Alice's women, after being scourged six times could endure no longer the endless increase of agony, and confessed all that was wanted of her. She admitted that she was a skilful sorceress, but inferior to her mistress, who was equal to any in England, or any in the world. She told how, at Lady Alice's command, she had sacrificed cocks in the cross-roads to a demon named Robert Artisson, her mistress's incubus or lover, and how they made from the brains of an unbaptized child, with herbs and worms, in the skull of a robber who had been beheaded, powders and charms to afflict the bodies of the faithful, to excite love and hatred, and to make the faces of certain women appear horned in the eyes of particular individuals. She had been the intermediary between her mistress and the demon; on one occasion he had come to Lady Alice's chamber with two others, black as Ethiopians, when followed love-scenes of which the disgusting details may be spared. The case is interesting as developing a transition state of belief between the earlier magic and the later witchcraft; and it illustrates one of the most important points in the criminal jurisprudence of the succeeding centuries, which explains the unquestioning belief universally entertained as to the marvels of sorcery. Torture administered with unlimited repetition not only brought the patient into a condition in which he would confess whatever was required of him, but the impression produced was such that he would not risk its renewal by retraction even at the last. It was so with this poor creature, who persisted to the end with this tissue of absurdities, and

who was burned impenitent. Some others involved in the accusation likewise perished at the stake, while some were permitted to abjure and were punished with crosses—probably the only occasion in which this penance was administered in the British Isles.*

While Bishop Ledrede was busy at this good work a trial occurred in England which illustrates the difference in efficiency between the ecclesiastical methods of trial by torture and those of the common law. Twenty-eight persons were accused of employing John of Nottingham and his assistant, Richard Marshall of Leicester, to make wax figures for the destruction of Edward II., the two Despensers, and the Prior of Coventry, with two of his officials who had tyrannized over the people and had been sustained by the royal favorites. Richard Marshall turned accuser, and the evidence was complete. The enormous sums of twenty pounds to Master John and fifteen pounds to Richard had been promised, and they had been furnished with seven pounds of wax and two ells of canvas. From September 27, 1324, until June 2, 1325, the two magicians labored at their work. They made seven images, the extra one being experimental, to be tried on Richard de Sowe. On April 27 they commenced operating with this by thrusting a piece of lead into its forehead, when at once Richard de Sowe lost his reason and cried in misery until May 20, when the lead was transferred to his breast, and he died May 23. The accused pleaded not guilty and put themselves on the country. An ordinary jury trial followed, with the result that they were all acquitted. A similar case came to light at Toulouse in June, 1326, when some sorcerers were discovered who bad undertaken to make way with King Charles le Bel by means of figurines. They were promptly despatched to Paris, and the matter was taken in hand by the secular court of the Châtelet. It had all the resources of torture at its command, and its speedy and vigorous justice undoubtedly soon consigned them to the stake, although Pierre de Vic, a favored nephew of John XXII., who had been inculpated in their confessions, was pronounced innocent. It was probably not long after this that a similar attempt was made on the life of John XXII., though the culprits escaped until 1337, when

* Wright's Contemporary Narrative of the Proceedings against Dame Alice Kyteler, Camden Soc., 1843.

they were tried and executed by Benedict XII. To shield themselves they implicated the Bishop of Béziers as their instigator.*

Yet organized persecution seems to have died away with the withdrawal of sorcery from the jurisdiction of the Inquisition by John XXII. in 1330, while the stimulus which his proclamations had given to the trade of the magician continued to extend it and render it profitable. The tendency of popular thought is shown by the attribution, in some places, of the Black Death to the incantations as well as to the poisons of the Jews. Such an expedient as that of the Council of Chartres in 1366, which ordered sorcerers to be excommunicated in mass every Sunday in all parish churches, would only serve to impress the popular mind with the reality and importance of their powers. During this period the study and practice of magic arts were pursued with avidity, and in many cases almost without concealment. Miguel de Urrea, who was Bishop of Tarazona from 1309 to 1316, was honored with the title of *el Nigromantico*, and his portrait in the archiepiscopal palace of Tarragona bears an inscription describing him as a most skilful necromancer, who even deluded the devil with his own arts. Gerard Groot himself, claimed by the Brethren of the Common Life as their revered founder, was in his youth an earnest student of the occult sciences, but during an illness he solemnly abandoned them before a priest and burned his books. Many years later he turned his knowledge to account by exposing a certain John Heyden, who had long practised on the credulity of the people of Amsterdam and its vicinity. On his coming to Daventry, Groot examined him and found him ignorant of necromancy and its allied arts, and concluded that he operated through a compact with Satan. Not willing to incur the irregularity of shedding blood, Groot contented himself with driving him away, and then, on learning that he had settled at Harderwick, wrote to the brethren there giving them an account of him; but the whole affair shows that such persons could count on practical toleration unless some zealot chose to set the laws in motion. The extent to which this toleration was carried, and the limitless credulity to which the popular mind had been trained are shown in the ac-

* Wright, op. cit. pp. xxiii.-xxix.—Vaissette, IV. Pr. 173.—Raynald. ann. 1337, No. 30.

counts given by grave historians of the feats of Zyto, the favorite magician of the Emperor Wenceslas, who, in spite of the repeated condemnation of magic by the Councils of Prague during the latter half of the century, reckoned among his evil qualities a fondness for forbidden arts. When, in 1389, he married Sophia, daughter of the Elector of Bavaria, the latter, knowing his proclivities, brought to Prague a wagon-load of skilful conjurers and jugglers. While the chief of these was giving an exhibition of his marvels Zyto quietly walked up to him, opened his mouth, and swallowed him entire, spitting out his muddy boots, and then evacuated him into a vessel of water and exhibited him dripping to the admiring crowd. At the royal banquets Zyto would bother the guests by changing their hands into the hoofs of horses or oxen so that they could not handle their food; if something attracted them to look out of the window he would adorn them with branching antlers, so that they could not withdraw their heads, while he would leisurely eat their delicacies and drink their wine. On one occasion he changed a handful of corn into a drove of fat hogs which he sold to a baker, with a caution not to let them go to the river, but the purchaser disregarded the warning and they suddenly became grains of corn floating on the water. Of course such a character could not end well, and Zyto, when his time came, was carried off by his demon. Not only are all these marvels recorded as unquestionable facts by the Bohemian chroniclers, but they are conscientiously copied by the papal historian Raynaldus.*

Although Gregory XI., in 1374, had authorized the Inquisition to prosecute in all cases of sorcery, in France the Parlement included the subject within its policy of encroachment upon the ecclesiastical jurisdiction. In 1390 an occurrence at Laon, where a secular official named Poulaillier arrested a number of sorcerers, gave it occasion to intervene. As Bodin says, at that time Satan

* Lilienthal, Die Hexenprocesse der beiden Städte Braunsberg, p. 113.—Concil. Carnotens. ann. 1366 c. 11 (Martene Ampl. Coll. VII. 1368).—Florez, España Sagrada, XLIX. 188.—Acquoy, Gerardi Magni Epistt. pp. 107-11.—Concil. Pragens. ann. 1355 c. 61 (Hartzheim, IV. 400).—Statuta brevia Arnesti ann. 1353 (Höfler, Prager Concilien, p. 2).—Concil. Pragens. ann. 1381 c. 7 (Ib. p. 28).—Statut. Synod. Pragens. ann. 1407, No. 6 (Ib. p. 59).—Dubrav. Hist. Bohem. Lib. XXIII.—Raynald. ann. 1400, No. 14.

managed to have it believed that the stories of sorcery were false, so the Parlement stopped the proceedings, and thus having its attention drawn to the matter, decreed that in future cognizance of such offences should be confined to the secular tribunals, to the exclusion of the spiritual courts.* Secular judges, however, were ready to treat these cases with abundant sharpness. A case occurring at the Paris Châtelet in 1390 has much interest as affording us an insight into the details of procedure, and as illustrating the efficacy of torture in securing conviction. Except as regards the use of this expedient, now universal in all criminal cases, we see that the process is much fairer to the accused than that of the Inquisition, and we observe once more the ineffaceable impression produced by torture, which leads the despairing victim to adhere to the self-condemnation conducting him inevitably to the stake. Marion l'Estalée was a young *fille de folle vie*, madly in love with a man named Hainsselin Planiete, who deserted her, and, about July 1, 1390, married a woman named Agnesot. Eager to prevent this, if her confession is to be believed, she had applied to an old procuress named Margot de la Barre, for a philtre to fix his wandering affection, and when this failed Margot made for her two enchanted chaplets of herbs, which she threw where the bride and groom would tread on them during the festivities of the wedding-day, assured that this would prevent the consummation of the marriage. The plot was unsuccessful, but Hainsselin and Agnesot fell sick, leading to the arrest of the two women.

On July 30 Margot was examined and denied all complicity. She was promptly tortured on *le petit et le grand tresteau*—which I conjecture to mean, the former, pouring water down the throat till the stomach was distended and then forcing it out by paddling the belly; the latter, the rack. This reduplicated torture produced no confession, and she was remanded for further hearing. August 17 Marion was taken in hand, when she denied, and was similarly tortured without result. On the 3d she was again examined and denied, and on being again ordered to the torture, she appealed to the Parlement; the appeal was promptly heard and rejected, and she was tortured as before, then taken to the kitchen and warmed, after which she was tortured a third time, but to no effect. On

* Bodini de Magor. Demonoman. Lib. IV. c. 1.

the 4th she was brought in and refused to confess, but the indefinite repetition of torment without prospect of cessation had produced its effect on body and mind; the torture had been pitiless, for she is subsequently alluded to as much crippled and weakened by it, and when she was again bound on the *tresteau*, and the executioner was about to commence his work, she yielded and agreed to confess. On being unbound she detailed the whole story, and in the afternoon, on being brought in again, she confirmed it "*sans aucune force ou constrainte.*" Then Margot was introduced, and Marion repeated her confession, which Margot denied and offered the wager of battle, of which no notice was taken. Margot then asserted her ability to prove an alibi on the day when she was said to have made the chaplets. The parties whom she named as witnesses were looked up for her and brought in the next day, when the evidence proved rather incriminating than otherwise. Marion was then made to repeat her confession, and not till then was Margot tortured a second time, but still without result. On the 6th Marion was again made to repeat her confession, after which Margot was brought in and bound to the *tresteau.* Marion's youthful vigor had enabled her to endure the torture thrice. Margot's age had diminished her power of resistance, and the two applications sufficed. Her resolution gave way, and before the torture commenced she promised to confess. Her story agreed with that of Marion, except in some embellishments, which serve to show how thoroughly untrustworthy were all such confessions, of which the sole object was to satisfy the merciless ministers of justice. When she enchanted the chaplets she invoked the demon by thrice repeating "*Ennemi je te conjures au nom du Père, du Fils et du Saint Esperit que tu viegnes a moy icy;*" then an "ennemi," or demon, promptly appeared, like those she had seen in the Passion-play, and after she had instructed him to enter into the bodies of Hainsselin and Agnesot he flew out of the window in a whirlwind, making a great noise and throwing her into mortal fear. The evidence was thus complete, and there would seem to be nothing left but prompt sentence, yet the tribunal manifested commendable desire to avoid precipitate judgment. Assessors and experts were called in. On August 7, 8, and 9 Marion was thrice made to repeat her confession, and Margot twice. On the latter day a consultation was held, and the decision was unanimous against

Margot, who was pilloried and burned the same day; but three of the experts thought that the pillory and banishment would suffice for Marion. Her case was postponed till the 23d, when another consultation was held; opinions remained unaltered, and as the majority was in favor of condemnation the *prévôt* condemned her, and she was burned the next day. Both the victims may have been innocent, and the whole story may have been invented to avoid the repetition of the intolerable torture; but, inevitable as was the result under the conditions of the trial, the judges manifested every disposition to deal fairly with the unfortunates in their hands, and could entertain no possible doubt as to the reality of the offence and of the apparition of the demon as described by Margot.* It is necessary to bear this in mind when estimating the conduct of the judges and inquisitors who sent thousands of unfortunates to the stake in the next two centuries, for offences which to a modern mind are purely chimerical, for, according to the jurisprudence of the age, no evidence could be more absolute than that on which rested the cruelly punished absurdities of witchcraft.

Simultaneous with this case was the burning of a sorceress named Jeanette Neuve or Revergade, August 6, 1390, in Velay. Although she was tried and executed by the court of the Abbey of Saint-Chaffre, this was in its capacity as *haut-justicier*, and not as a spiritual tribunal. A century later we should have found the case embroidered with full accounts of the Sabbat and of demon-worship, but the time had not yet arrived for this. Jeanette was a poor wandering crone who had come to Chadron, within the abbatial jurisdiction, and earned a livelihood by curing diseases with charms, to which she usually added the prescription of a pilgrimage to some shrine of local renown. She must have gained reputation as a wise-woman, for the Sire de Burzet, quarrelling with his wife and desiring reconciliation, came to her for a philtre. She gave him a potion of which he died, and her fate was sealed.†

About this period may be dated a fresh impulse given to the belief in sorcery, whose continued growth during the fifteenth and sixteenth centuries was destined to produce results so deplorable,

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* Registre Criminel du Châtelet de Paris, I. 332–63 (Paris, 1861).

† Chassaing, Spicilegium Brivatense, pp. 438–46.

and to present one of the most curious problems in the history of human error. The first indication of this new development is found in the action of the University of Paris. September 19, 1398, the theological faculty held a general congregation in the Church of St. Mathurin, and adopted a series of twenty-eight articles which thenceforth became a standard for all demonologists, and were regarded as an unanswerable argument to sceptics who questioned the reality of the wickedness of the arts of magic. The preamble recites that action was necessary in view of the active emergence of ancient errors which threatened to infect society; the old evils, which had been well-nigh forgotten, were reviving with renewed vigor, and some positive definition was required to guard the faithful from the snares of the enemy. The University then proceeded to declare that there was an implied contract with Satan in every superstitious observance, of which the expected result was not reasonably to be anticipated from God and from Nature, and it condemned as erroneous the assertion that it was permissible to invoke the aid of demons or to seek their friendship, or to enter into compacts with them, or to imprison them in stones, rings, mirrors, and images, or to use sorcery for good purposes or for the cure of sorcery, or that God could be induced by magic arts to compel demons to obey invocations, or that the celebration of masses or other good works used in some forms of thaumaturgy was permissible, or that the prophets and saints of old performed their miracles by these means which were taught by God, or that by certain magic arts we can attain to the sight of the divine essence. These latter clauses point to a dangerous tendency of coalescence between the arts of the sorcerer and of the theurgist, and indicate that in the higher magic of the day there was a claim to be considered as penetrating to the ineffable mysteries which surrounded the throne of God; in fact, these adepts declared that their arts were lawful, and they sought to prove their origin in God by pointing out that good flowed from them, and that the wishes and prophecies of those using them were fulfilled. All this the University condemned, and while on the one hand it denied that images of lead or gold or wax, when baptized, exorcised, and consecrated on certain days, possessed the powers ascribed to them in the books of magic, on the other hand it was equally emphatic in animadverting on the incredulity of

those who denied that sorcery, incantations, and the invocation of demons possessed the powers claimed for them by sorcerers.*

Like all other efforts to repress sorcery, this of course only served to give it fresh significance and importance. The declaration that it was erroneous to doubt the reality of sorcery and its effects became a favorite argument of the demonologists. Gerson declared that to call in question the existence and activity of demons was not only impious and heretical, but destructive to all human and political society. Sprenger concludes that the denial of the existence of witchcraft is not in itself heresy, as it may proceed from ignorance, but such ignorance in an ecclesiastic is in itself highly culpable; such denial is sufficient to justify vehement suspicion of heresy, calling for prosecution, and we have seen what was the significance of "vehement suspicion" in inquisitorial practice.†

With popular credulity thus stimulated, the insanity of Charles VI. afforded a tempting opportunity for charlatans to market their wares. In 1397 the Maréchal de Sancerre sent to Paris from Guyenne two Augustinian hermits who had great reputation for skill in the occult sciences, and who promised relief. They pronounced the royal patient a victim of sorcery, and after some incantations he recovered his senses, but it proved only a lucid interval, and in a week he relapsed. This they charged upon the royal barber and a porter of the Duke of Orleans, who were arrested, but nothing could be proved against them, and they were discharged. For months the two impostors led a joyous life with ample fees, but at last they were compelled to name the author of the sorceries, and this time they had the audacity to pitch upon the king's brother, Louis of Orleans himself. This grew serious, and on being threatened with torture they confessed themselves sorcerers, apostates, and invokers of demons. They were accordingly tried, condemned, degraded from the priesthood, and mercifully beheaded and quartered. Undeterred by this example, in 1403 a priest named Ives Gilemme, who boasted that he had three

* D'Argentré I. II. 154. Cf. Bodin. de Magor. Demonoman.—Murner Tract. de Python. Contractu.—Basin de Artibus Magiæ.—Pegnæ Comment. in Eymeric. p. 346.

† Gersoni Tract. de Error. circa Artem Magicam (Opp. Ed. 1494, xxi. G-H).—Mall. Maleficar. P. I. Q. 1, 8.

demons in his service, with some other invokers of demons, the Demoiselle Marie de Blansy, Perrin Hemery, a locksmith, and Guillaume Floret, a clerk, offered to cure the king, and were given a trial. They asked to have twelve men loaded with iron chains placed at their disposal; these they surrounded with an enclosure, and, after telling them not to be afraid, proceeded with all the invocations they could muster, but accomplished no results. They excused their failure by alleging that the men had crossed themselves, but this availed them nothing. Floret confessed to the Prévôt of Paris that the whole affair was a deception, and on March 24, 1404, they were all duly burned. It was probably this case which induced Cardinal Louis of Bourbon, in his provincial synod of Langres, in 1404, to prohibit strictly all sorcery and divination, and to warn his flock to place no trust in such arts, as their practitioners were mostly deceivers whose only object was to trick them out of their money. Priests, moreover, were strictly ordered, as had already been done by the Council of Soissons the year before, to report to the episcopal ordinaries all cases coming to their knowledge and all persons defamed for such practices. Had this policy been carried out, of treating sorcerers as sharpers, and of instituting an episcopal police to replace the Inquisition, at this time rapidly falling into desuetude, it might have averted the evils which followed, but the well-meant effort of Cardinal Louis was followed by no results. The belief in sorcery continued to strengthen, and when Jean Petit undertook to justify Jean sans Peur for the assassination of the Duke of Orleans, it was almost a matter of course that he should accuse the murdered prince of encompassing the king's insanity by magic, of which the most minute details were given, including the names of the two demons, Hynars and Astramein, whose assistance had been successfully invoked.*

In England, sorcery, as we have seen, had thus far attracted

* Religieux de S. Denis, Hist. de Charles VI., Liv. XVII. ch. i., Liv. XVIII. ch. 8.—Juvenal des Ursins, Hist. de Charles VI. ann. 1403.—Raynald. ann. 1404, No. 22-8.—Concil. Suessionens. ann. 1403 c. 7.—Monstrelet, I. 39 (Ed. Buchon, 1843, pp. 80-8).—Chron. de P. Cochon (Ed. Vallet de Viriville, p. 385).

Valentine of Milan, wife of Louis of Orleans, and her father, Galeazzo Visconti, had the reputation of being addicted to magic and of being privy to the attempt on the life of the king (ubi sup.).

little attention. Even as late as 1372 a man was arrested in Southwark with the head and face of a corpse in his possession, and a book of magic was found in his trunk. Tried before the Inquisition he would infallibly have confessed under torture a series of misdeeds and have ended at the stake; but he was brought before Sir J. Knyvet, in the King's Bench. No indictment even was found against him; he was simply sworn not to practise sorcery and was discharged, but the head and book were burned at Tothill at his expense. To the fair and open character of English law is doubtless to be attributed the comparative exemption of the island from the terror of sorcery, but when, at last, persecuting excitement arose in the Lollard troubles, the Church used its influence with the new Lancastrian dynasty to suppress the emissaries of Satan. In 1407 Henry IV. issued letters to his bishops reciting that sorcerers, magicians, conjurers, necromancers, and diviners abounded in their dioceses, perverting the people and perpetrating things horrible and detestable. The bishops, therefore, were commissioned to imprison all such malefactors, either with or without trial, until they should recant their errors or the king's pleasure could be learned respecting them. The placing of the matter thus in the hands of the Church, and depriving the accused of all legal safeguards, is most significant as a recognition that the ordinary forms of English law were not to be depended upon in such cases, and that public opinion as yet was too unformed for juries to be trusted. Under the regency the royal council seems to have assumed jurisdiction over the matter. In 1432 a Dominican of Worcester, Thomas Northfield, suspected of sorcery, was summoned before it with all his books of magic. A few days later it heard the celebrated Witch of Eye, Margery Jourdemayne, with the Dominican John Ashewell and John Virby, a clerk, who had been confined at Windsor under charge of sorcery, but they were discharged on giving bonds for good behavior. The Witch of Eye did not fare so well when, in 1441, she was implicated in the accusation brought against the Duchess of Gloucester, of making and melting a wax figurine of Henry VI. The duchess confessed and escaped with the penance of walking bareheaded thrice through the streets with wax tapers of two pounds each, and offering them at the shrines of St. Paul's, Christ Church, and St. Michael's in Cornhill, after which she was imprisoned and finally banished to

Chester. Her secretary, Roger, was hanged, drawn, and quartered, and Margery was burned—the whole affair being political. A similar endeavor to take political advantage of the belief in sorcery occurred in 1464, in connection with the marriage of Edward IV. and Elizabeth Woodville, when his constancy to her was attributed to the magic arts of her mother, Jacquette, widow of the Regent Bedford in first marriage. Jacquette did not wait to be attacked, but turned upon her accusers, Thomas Wake and John Daunger, who had talked about her using leaden images of the king and queen, and had shown one of them broken in two and wired together. They disclaimed responsibility, and endeavored to shift the burden each on the other; but in 1483 Richard III. did not fail to make the most of the matter, and in the act for the settlement of the crown described Edward's "pretensed marriage" as brought about by "sorcerie and witchcraft committed by the said Elizabeth and her moder, Jacquette duchesse of Bedford." Thus England was gradually prepared to share in the horrors of the witchcraft delusions.*

Perhaps the most remarkable trial for sorcery on record is that of the Maréchal de Rais, in 1440, which has long ranked as a *cause célèbre*, although it is only of late that the publication of the records has enabled it to be properly understood. The popular belief at the time is indicated by Monstrelet, who tells us that the marshal was accustomed to put to death pregnant women and children in order with their blood to write the conjurations which secured him wealth and honors; Jean Chartier alludes to his putting children to death and performing strange things contrary to the faith to attain his ends, and in the next century Gaguin speaks of his slaying children in order with their blood to divine the future.† Curious as is the case in many aspects, perhaps its chief interest lies in the psychological study which it affords as an illustration of the extreme development of the current ecclesiastical teaching with regard to the remission of sins.

In the France of the fifteenth century there was no career more

* Wright, Dame Kyteler, pp. ix., xv.–xx.—Rymer, Fœd. VIII. 427; X. 505; XI. 851.

† Monstrelet, II. 248.—Jean Chartier, Hist. de Charles VII. ann. 1440 (Ed. Godefroy, p. 106).—Rob. Gaguin. Hist. Franc. Lib. x. c. 3.

promising than that of Gilles de Rais. Born in 1404 of the noble stock of Montmorency and Craon, grandson of the renowned knight, Brumor de Laval, grandnephew of du Guesclin, of kindred with the Constable Clisson, and allied with all that was illustrious in the west of France, his barony of Rais rendered him the head of the baronage of Britanny. His territorial possessions were ample, and when, while still a youth, he married the great heiress, Catharine de Thouars, he might count himself among the wealthiest nobles of France. His bride is said to have brought him one hundred thousand livres in gold and movables, and his revenue was reckoned at fifty thousand. At the age of sixteen he won the esteem of his suzerain, Jean V., Duke of Britanny, by his courage and skill in the campaign which ended the ancient rivalry between the houses of de Montfort and de Penthièvre. At twenty-two, following the duke's brother, the Constable Artus de Richemont, he entered the desperate service of Charles VII., with a troop maintained at his own expense, and he distinguished himself in the seemingly hopeless resistance to the English arms. When Joan of Arc appeared he was charged with the special duty of watching over her personal safety, and, from the relief of Orleans to the repulse at the gates of Paris, he was ever at her side. In the coronation ceremonies at Reims he received, though but twenty-five years old, the high dignity of Marshal of France, and in the September following he was honored with permission to add to his arms a border of the royal fleurs-de-lis. There was no dignity beneath the crown to which his ambition might not aspire, for he maintained himself so skilfully between the opposing factions of the constable and of the royal favorite, La Trémouille, that when the latter fell, in 1433, his credit at the court was unimpaired.*

He was, moreover, a man of unusual culture. His restless curiosity and thirst for knowledge led him to accumulate books at a time when it was rare for knights to be able to sign their names. Chance has preserved to us the titles of St. Augustin's "City of God," "Valerius Maximus," Ovid's "Metamorphoses" and "Suetonius," as fragments of his library; and on his trial one of the reasons he gave for liking an Italian necromancer was the choice

* Bossard et Maulde, Gilles de Rais, dit Barbe-bleue, Paris, 1886, pp. 16, 43, 49-51, 53, 57, Pr. p. clvii.

Latinity of his speech. He delighted in rich bindings and illuminations. On one occasion he is described, but a few months before his arrest, as engaged in his study in ornamenting with enamels the cover of a book of ceremonies for his chapel. Of music and the drama he was also passionately fond. In these pursuits he was a fit comrade for the good King René, as in the field he was the mate of Dunois and La Hire.*

Yet the life which promised so much in camp and court was blighted by the fatal errors of his training. The death of his father while he was a child of eleven left him to the care of a weak and indulgent grandfather, Jean de Craon, whose authority he soon shook off. His fiery nature ran riot, and he grew up devoured with the wildest ambition, abandoned to sensual excesses of every kind, and with passions unrestrained and untamable. When on trial he repeatedly addressed the wondering crowd, urging all parents to train their children rigidly in the ways of virtue, for it was his unbridled youth that had led him to crime and a shameful death.†

Although, in the charges preferred against him, his aberrations are said to have commenced in 1426, he himself asserted that the fatal plunge was not made until 1432, after the death of his grandfather. About that time he began to withdraw from active life, and after 1433 he is no longer heard of in the field, although the war of liberation offered its prizes as abundantly as ever.‡

Then commenced a strange and unexampled dual existence. To the outward world he was the magnificent seigneur, intent only on display and frivolity. His immeasurable ambition, diverted from its natural career, found unworthy gratification in making the vulgar stare with his gorgeous splendor. He affected a state almost royal. A military household of over two hundred horsemen accompanied him wherever he went. He founded a chapter of canons, with service and choir fit for a cathedral, and this was his private chapel, likewise attached to his person, costing him immense sums, including portable organs carried on the

* Bossard et Maulde, Gilles de Rais, dit Barbe-bleue, Paris, 1886, Pr. pp. liii., lxxvii., clii.

† Ibid. p. 21; Pr. pp. xlix., lviii.

‡ Ib. pp. 48–51; Pr. pp. xxi.–xxvi., xlvi., xlix.

shoulders of six stout serving-men. Not less extravagant was his passion for theatrical displays. The drama of the age, though rude, was costly, and when he exhibited freely to the multitude spectacular performances, there were immense structures to be built and hundreds of actors to be clad in cloths of gold and silver, silks and velvets, and handsome armor, the whole followed by public banquets to the spectators, in which rich viands were served in profusion and rare wines and hippocras flowed like water. These were only items in his expenditure; his purse and table were open to all and his artistic tastes were gratified without regard to cost. In one visit to Orleans, where his retinue filled every inn in the city, he was said to have squandered eighty thousand gold crowns between March and August, 1435. This ruinous prodigality was accompanied with the utmost disorder in his affairs. It was beneath the dignity of a great seigneur to attend to business, and all details were abandoned to the crowd of pimps and parasites and flatterers attracted by his lavish recklessness, among whom the principal were Roger de Briqueville and Gilles de Sillé. Gold must be raised at any price; his revenues were farmed out in advance, the produce of field and forest and salt-works was disposed of at low prices, and he soon began to sell his estates at less than their value, usually reserving a right of redemption within six years. In a short time he is estimated to have consumed from this source alone not less than two hundred thousand crowns. Already, in 1435 or 1436, his family became alarmed at his mad career; they appealed to Charles VII., who issued letters, in accordance with a legal custom of the time, interdicting him from alienating lands and revenues, and all persons from contracting with him. This was published with sound of trump in Orleans, Angers, Blois, Machecoul, and elsewhere outside of Britanny. Within the duchy, Jean V. prohibited its publication. Notwithstanding his surname of le Bon and le Sage, he was a greedy and unscrupulous prince, who, as one of the chief purchasers of the marshal's estates, was interested in the ruin of his subject. He continued to secure profitable bargains, subject always to the right of redemption, and manifested for his dupe the greatest friendship, appointing him lieutenant-general of the duchy, and entering into a brotherhood of arms with him, while privately mocking and ridiculing him as a fool. As a last resort, Gilles's younger brother,

René de la Suze, and his cousin, the Admiral de Loheac, captured and garrisoned the castles of Champtocé and Machecoul, but in 1437 and 1438 Gilles retook them, with the aid of the duke, to whom he had sold the former.*

Such was the external life of Gilles de Rais, to all appearance that of a liberal, pious noble, whose worst foible was thoughtless extravagance. Beneath the surface, however, lay an existence of crime more repulsive than anything chronicled by Tacitus or Suetonius. There are some subjects so foul that one shrinks from the barest allusion to them, and of such are the deeds of Gilles de Rais. For the sake of human nature one might hope that the charges which brought him to the gallows and stake were invented by those who plotted his ruin, but an attentive examination of the evidence brings conviction that amid manifest exaggeration there was substantial foundation of fact. Ordinary indulgence having palled upon the senses of the youthful voluptuary, about the year 1432 he abandoned himself to unnatural lusts, selecting as his victims children, whom he promptly slew to secure their silence. At first their bodies were thrown into *oubliettes* at the bottom of towers in his ordinary places of residence. When Champtocé was about to be surrendered to the duke, the bones of about forty children were hastily gathered together and carried off; when René de la Suze was advancing on Machecoul, the same number were extracted from their hiding-place and burned. Scared by this narrow escape from detection, Gilles subsequently had the bodies burned at once in the fireplace of his chamber and the ashes scattered in the moats. So depraved became his appetites that he found his chief enjoyment in the death agonies of his victims, over whose sufferings he gloated as he skilfully mangled them and protracted their torture. When dead he would criticise their beauties with his confidential servitors, would compare one with another, and would kiss with rapture the heads which pleased him most. Not Caligula, when, to gain fresh appetite for his revels, he caused criminals to be tortured by the side of his banquet-table, or Nero, when enjoying the human torches

* Bossard et Maulde, Gilles de Rais, dit Barbe-bleue, Paris, 1886, pp. 61–66, 72–3, 78–81, 92–116, 173, 269; Pr. pp. cliv.–clv., clvii., clix.—Très-Ancien Coutume de Bretagne c. 83 (Bourdot de Richebourg, IV. 220).—D'Argentré, Comment. in Consuetud. Britann. pp. 1647–55.

illuminating his unearthly orgies, found such delirium of delight in inflicting and in watching human agony.*

While such were his recreations, his serious pursuit was the search for the philosopher's stone—the Universal Elixir which should place unlimited wealth and power in his hands. To this end his agents were on the watch to bring him skilled professors in the art, and he served as the dupe of a succession of charlatans, whose promises kept him ever in the hope that he was on the point of attaining the fulfilment of his desires. He never ceased to believe that once, at his castle of Tiffauges, the operation was about to be crowned with success, when the sudden arrival of the Dauphin Louis forced him to destroy his furnaces; for though, as we have seen, alchemy was not positively included in the prohibited arts, its practice was ground for suspicion, and Louis, even in his youth, was not one to whom he could afford to confide so dangerous a secret. This confident hope explains the recklessness of his expenditures and his careless alienations, in which he retained a right of redemption, for any morrow might see him placed beyond the need of reckoning with his creditors. Yet, as already stated, although alchemy assumed to be a science, in practice it was almost universally coupled with necromancy, and few alchemists pretended to be able to achieve results without the assistance of demons, whose invocation became a necessary department of their art. So it was with those employed by Gilles de Rais, and no more instructive chapter in the history of the frauds of magic can be found than in his confession and that of his chief magician, Francesco Prelati. The latter had a familiar demon named Barron, whom he never had any difficulty in evoking when alone, but who would never show himself when Gilles was present, and in the naïve accounts which the pair give of their attempts and failures, one cannot help admiring the quick-witted ingenuity of the Italian and the facile credulity of the baron. On one occasion, in answer to Prelati's earnest prayer for gold, the tantalizing demon spread countless ingots around the room, but forbade his touching them for some days. When this was reported to Gilles he naturally desired to feast his eyes upon the treasure, and Prelati conducted him to the chamber. On opening the door, however, he

* Bossard et Maulde, Pr. pp. lxxxiv.–xcii., xcv.–xcix.

cried out that he saw a great green serpent as large as a dog coiled up on the floor, and both took to their heels. Then Gilles armed himself with a crucifix containing a particle of the true cross, and insisted on returning, but Prelati warned him that such expedients only increased the danger, and he desisted. Finally the malicious demon changed the gold into tinsel, which, when handled, turned into a tawny dust. It was in vain that Gilles gave to Prelati compacts signed with his blood, pledging himself to obedience in return for the three gifts of knowledge, wealth, and power; Barron would have none of them. The demon was offended with Gilles for not keeping a promise to make some offering to him; if a small request were made it should be a trifle, such as a pullet or a dove; if something greater it must be the member of a child. Children's bodies were not scarce where Gilles resided, and he speedily placed in a glass vessel a child's hand, heart, eyes, and blood, and gave them to Prelati to offer. Still the demon was obdurate, and Prelati, as he said, buried the rejected offering in consecrated ground. Gilles has had the reputation of sacrificing unnumbered children in his necromantic operations, but this is the only case elicited on his trial, and the number of times it is brought into the evidence shows the immense importance attached to it by the prosecution.*

It was impossible that a career such as this could continue for eight years without exciting suspicion. Though for the most part Gilles selected his victims from among the beggars who crowded his castle gates, attracted by his ostentatious charities—children for whom there was no one to make inquiry—yet he had his agents out through the land enticing from parents the offspring whom they would see no more. Two women, Etiennette Blanchu and Perrine Martin, better known as La Meffraye, were the most successful of these purveyors, and it came to be noticed that when he was in Nantes the children who frequented the gates of his Hôtel de la Suze were apt to disappear unaccountably. His confidential servants, Henri Griart, known as Henriet, and Étienne Corillaut, nicknamed Poitou, when they saw a handsome youth would engage him as a page without concealment, ride off with

* Bossard et Maulde, Pr. pp. xxvi., xxxiv., xlvii.-lii., lv.-lvi., lxii.-lxxii., lxxxviii., xcviii., ci., cxvii.—Monstrelet, II. 248.

him, and he would be heard of no more. It is rather curious, indeed, how tardily suspicion was aroused, for up to within a year or two of the end there were mothers who had no hesitation in confiding their children to the terrible baron. At his castles of Tiffauges and Machecoul there was little disguise. He was *haut-justicier* in his lands: between him and his villeins there was, as de Fontaines says, no judge but God; they could not fly, for they were attached to the glebe, and they could only rest silent in dread suspense as to where the next bolt would fall. Even as far off as St. Jean-d'Angely, Machecoul had the name of a place where children were eaten, and at Tiffauges they said that for one child that disappeared at Machecoul there were seven at Tiffauges. Yet so far was the truth from being guessed that the story ran among the peasantry that Michel de Sillé, when a prisoner with the English, had been obliged to promise, as part of his ransom, twenty-four boys to serve as pages, and that when the tale was complete the disappearances would cease. Still suspicion grew. One of the marshal's confidants, though not fully initiated in his secrets, a priest named Eustache Blanchet, grew alarmed and ran away from Tiffauges, taking up his residence at Mortagne-sur-Sèvre. Here he learned from Jean Mercier, castellan of La Roche-sur-Yon, that in Nantes and Clisson and elsewhere it was public rumor that Gilles killed numbers of children, in order with their blood to write a necromantic book which, when completed, would enable him to capture any castle and prevent any one from withstanding him. This grew to be the popular belief, as recorded by Monstrelet, and so impressed was Blanchet's imagination with it that, after his return to Tiffauges, at Easter, 1440, just before the catastrophe, when Gilles invited him and another priest into his study to exhibit to them his ornamentation of the binding of the ceremonial book of his chapel, some sheets of paper written in red, lying on the desk, convinced him that the popular report was true. In this little scene, the contrast between the peaceful artistic labors of the marshal and the dread conjurations supposed to be written with his own hand in innocent blood, is a type of his strange career.*

What was the number of his victims can never be known.

* Bossard et Maulde, Pr. pp. lxxv., lxxvii., lxxxviii.–xcii., xcv.–xcix., cxvii.–cxl.

With the exaggeration customary in such cases some writers have estimated them at seven hundred or eight hundred. In his confession Gilles said that the number was great, but he kept no count. In the civil process against him it is stated at over two hundred, but in the articles of accusation in the ecclesiastical court, which were elaborately drawn up after obtaining all possible testimony, the figure is given as one hundred and forty, more or less, and this is probably a full estimate.*

Yet, strange as were the crimes of Gilles de Rais, even stranger was his profound conviction that he had in no way so incurred the wrath of God that the Church could not readily insure his salvation at the cost of some of the customary penances. He was solicitous about his soul in a fashion very uncommon with demon-worshippers, and in all his projected and rejected compacts with Satan he was careful to insert a clause that he should not suffer in body or soul. He was regular in the observances of religion. On the Easter previous to his arrest a witness describes him as going behind the altar with a priest for confession, and then taking the communion with the rest of the parishioners, and when these latter, uneasy at their companionship with so great a lord, desired to rise he bade them stay, and all remained together until the Eucharist was administered to all. When he founded his chapter of canons and dedicated it to the Holy Innocents, there might seem to be a grim pleasantry in his choice of patron saints, yet there can be no doubt that he felt that he was thus atoning for the massacre of the innocents which he himself was constantly perpetrating. More than once he had a transient emotion of repentance; he took vows to abandon his guilty life, and by a pilgrimage to the Holy Sepulchre to obtain pardon for the evil he had wrought—pardon which he never seems to have doubted could be thus easily won, and reasonably enough, in view of the plenary indulgences which were so lavishly distributed and sold. After making his public confession, when he could have no further hope on earth, he turned to the crowded audience and exhorted them to hold fast to the Church and to pay her the highest honor. He had always, he said, kept his heart and his affections on the Church, but for which, in view of his crimes, he believed that Satan would have strangled

* Bossard et Maulde, pp. 212-13; Pr. pp. xxiv., l.

him and carried him off, body and soul. This trust in the saving power of the Church gave him the absolute confidence in his salvation which is not the least noteworthy feature in his strange character. When, after he and Francesco Prelati had corroborated each other's confessions, and they were about to part, he embraced and kissed his necromancer with sobs and tears, saying, "*Adieu, Francoys, mon amy;* we shall see each other no more in this world: I pray God to give you patience and knowledge: be certain that if you have patience and hope in God we shall meet each other in the great joy of paradise. Pray God for me, and I will pray for you." There was none of the agonizing doubt that racked the tender conscientiousness of the Friends of God, no mental struggle, but the calm assurance, born of implicit belief in the teachings of the Church, that a man might lead a life of unimaginable crime and at any moment purchase his salvation.*

How long Gilles might have continued his devastating career it would be hard to guess, had it not suited the interest of Duke Jean and of his chancellor, Jean de Malestroit, Bishop of Nantes, to bring him to the stake. Both of them had been purchasers of his squandered estates, and might wish to free themselves from the equity of redemption, and both might hope to gain from the confiscation of what remained to him. To assail so redoubtable a baron was, however, a task not lightly to be undertaken: the Church must be the leader, for the civil power dared not risk arousing the susceptibilities of the whole baronage of the duchy. Gilles's impetuous temper furnished them the excuse.

The marshal had sold the castle and fief of Saint-Étienne de Malemort to Geoffroi le Ferron, treasurer of the duke—possibly a cover for the duke himself — and had delivered seizin to Jean le Ferron, brother of the purchaser, a man who had received the tonsure and wore the habit of a clerk, thus entitling him to clerical immunity, even though he performed no clerical functions. Some cause of quarrel subsequently arose, which Gilles proceeded to settle in the arbitrary fashion customary at the time. On Pentecost, 1440, he led a troop of some sixty horsemen to Saint-Étienne, left them in ambush near the castle, and with a few followers went to the church where Jean was at his devotions. Mass

* Bossard et Maulde, Pr. pp. xxvii.–xxviii., xlvi., xlvii., lii., lv., lviii., lxxii., lxxx.

was about concluded when the intruders rushed in with brandished weapons, and Gilles addressed Jean: "Ha, scoundrel, thou hast beaten my men and committed extortions on them; come out or I will kill thee!" It was with difficulty that the frightened clerk could be reassured. He was dragged to the gate of the castle and forced to order its surrender, when Gilles garrisoned it and carried him off, finally imprisoning him in Tiffauges, chained hand and foot.*

The offence was one for which the customs of Britanny provided a remedy in the civil courts, but the duke zealously took up the cause of his treasurer and summarily ordered his lieutenant-general to surrender the castle and the prisoners under a penalty of fifty thousand crowns. Indignant at this unlooked-for intervention, Gilles maltreated the messengers of the duke, who promptly raised a force and recaptured the place in dispute. Tiffauges, where the prisoners lay, was in Poitou, beyond his jurisdiction, but his brother, the Constable de Richemont, besieged it, and Gilles was forced to liberate them. Having thus submitted, he ventured in July to visit the duke at Josselin: he had some doubts as to his reception, but Prelati consulted his demon and announced that he could go in safety. He was graciously received, and imagined that the storm had blown over. So safe did he feel that while at Josselin he continued his atrocities, putting to death several children and causing Prelati to evoke his demon.†

While the powers of the State thus hesitated to attack the criminal, the Church was busily preparing his downfall. He had been guilty of sacrilege in the violence committed in the church of Saint-Étienne, and he had violated its immunities in the person of Jean le Ferron. Yet, in that cruel age, when war spared neither church nor cloister, these were offences too frequent to justify his ruin, and in the earlier stages of the proceedings they are not even alluded to. On July 30 Jean de Malestroit, in whose bishopric of Nantes the barony of Rais was situated, issued privately a declaration reciting that in a recent visitation he and his commissioners had found that Gilles was publicly defamed for

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* Bossard et Maulde, pp. 231–5; Pr. pp. xxix., cii.–cxvi., cliv.

† Très Anc. Cout. de Bretagne c. 62 (Bourdot de Richebourg IV. 216).—Bossard et Maulde, pp. 235–6; Pr. pp. liii., lxxi.

murdering many children, after gratifying his lust on them, of invoking the demon with horrid rites, of entering into compacts with him, and of other enormities. Though in a general way synodal witnesses were quoted in substantiation of these charges, only eight witnesses were personally named, seven of them women, all residents of Nantes, whose subsequent testimony shows us that they had lost children, whose disappearance they thought they could connect with Gilles. The object of this paper was doubtless to loosen the tongues of those to whom it might be shown, but whatever diligence was used in gathering evidence was fruitless, for when the trial opened, two months later, but two additional witnesses had been procured, of the same indecisive kind as the previous ones. The only charge they made was the abduction of children, and this was in no sense a crime within the competence of the ecclesiastical court. Evidently the awful secrets of Tiffauges and Machecoul had not leaked out. It was necessary to hazard something, to strike boldly, and when Gilles and his retainers were in the hands of justice its methods could be relied upon to procure from them evidence sufficient for their own conviction.*

The blow fell September 13, when the bishop issued a citation summoning Gilles to appear for trial before him on the 19th. The recital of his misdeeds in the previous letter was repeated, with the significant addition of "other crimes and offences savoring of heresy." This was served upon him personally the next day, and he made no resistance. Some rumor of what was impending must have been in the air, for his two chief instigators and confidants, Gilles de Sillé and Roger de Briqueville, saved themselves by flight. The rest of his nearest servitors and procurers, male and female, were seized, including Prelati, and carried to Nantes. On the 19th he had a private hearing before the bishop. The prosecuting officer, Guillaume Capeillon, cunningly preferred certain charges of heresy against him, when he fell into the trap and boldly offered to purge himself before the bishop or any other ecclesiastical judge. He was taken at his word, and the 28th was fixed for his appearance before the bishop and the vice-inquisitor of Nantes, Jean Blouyn.†

* Bossard et Maulde, Pr. pp. i., ii., vi.–ix.

† Ibid. Pr. pp. iii.–iv., v.—Jean Chartier Hist. de Charles VII. ann. 1440 (Ed. Godefroy, p. 106).

The records are imperfect, and tell us nothing of what was done with the followers of Gilles, but we may be sure that during this interval the methods of the inquisitorial process were not spared to extract information from them, and that it was spread among the people to create public opinion, for already, by the 28th, some of the sorrowing parents who came forward to confirm their previous complaints assert that since La Meffraye had been in the secular prison they had been told that she said their children had been delivered to Gilles. At this hearing of the 28th only these ten witnesses were heard, with their vague conjectures as to the loss of their offspring. Gilles was not present, and apparently the result of the torture of his servants had not yet been satisfactory, for further proceedings were adjourned till October 8.*

In the succeeding hearings the rule of secrecy seems to have been abandoned. There evidently was extreme anxiety to create popular opinion against the prisoner, for the court-room in the Tour Neuve was crowded. On October 8 proceedings opened with the frantic cries of the bereaved parents clamoring for justice against him who had despoiled them and had committed a black catalogue of crimes, which shows that since their last appearance their ignorance had been carefully enlightened. Like the chorus of a Greek tragedy, the same dramatic use was made of them on the 11th, after which, as the object was presumably accomplished, they disappear.†

At the hearing of the 8th the articles of accusation were presented orally by the prosecutor. Gilles thereupon appealed from the court, but as his appeal was verbal it was promptly set aside, though no offer was made to him of counsel, or even of a notary to reduce it to writing. If anything could move us to commiseration for such a criminal it would be the mockery of justice in a trial where, alone and unaided, he was called upon to defend his life without preparation or the means of defence. He doubtless was guilty, but if he had been innocent the result would have been the same. Yet the trial was not carried on "*simpliciter et de plano*" according to the forms of the Inquisition. There was a semblance of a *litis contestatio*. The prosecutor took the *juramentum de calumnia*, to tell the truth and avoid deceit, and

* Bossard et Maulde, Pr. pp. vi.–ix. † Ibid. pp. ix., xii.

demanded that Gilles should do the same, as prescribed by legal form, but the latter obstinately refused, though summoned four times and threatened with excommunication. The only notice he would take of the proceedings was to denounce all the charges as false.*

It was worse at the hearing of the 13th, when the accusations had been reduced to writing in a formidable series of forty-nine articles. When the bishop and inquisitor asked him what he had to say in defence, Gilles haughtily retorted that they were not his judges; he had appealed from them and would make no reply to the charges. Then, giving rein to his temper, he stigmatized them as simoniacs and scoundrels, before whom it was degradation for him to appear; he would rather be hanged by the neck than acknowledge them as his judges; he wondered that Pierre de l'Hôpital, president or chief judicial officer of Brittany, who was present, would allow ecclesiastics to meddle with such crimes as were alleged against him. In spite of his reclamations the indictment was read, when he simply denounced it as a pack of lies and refused to answer formally. Then, after repeated warnings, the bishop and inquisitor pronounced him contumacious and excommunicated him. He again appealed, but the appeal was rejected as frivolous, and he was given forty-eight hours in which to frame a defence.†

The charges formed a long and most elaborate paper, showing by its detail of individual cases that by this time Gilles's servitors must have been induced to make full confessions. For the first time there appear in it the sacrilege and violation of clerical immunity committed at Saint-Étienne, and the charge of child-murder only figures as an accessory to the other crimes to which it was connected. Everything, however, that could be alleged against him was gathered together, even to inordinate eating and drinking, which were assumed to have led to his other excesses. His transient fits of repentance and vows of amendment were utilized ingeniously to prove that he was a relapsed heretic and thus deprived of all chance of escape. In the conclusion the prosecutor apportioned the charges between the two jurisdictions. The bishop and inquisitor conjointly were prayed to declare him

* Bossard et Maulde, Pr. pp. xi–xii. † Ibid. Pr. pp. xiii.–xiv.

guilty of heretical apostasy and the invocation of demons, while the bishop alone was to pronounce sentence on his unnatural crimes and sacrilege, the Inquisition having no cognizance of these offences. It is worthy of note that there is no allusion to alchemy; apparently it was not regarded as an unlawful pursuit.*

It is not easy to understand what followed. When two days later, on the 15th, Gilles was brought into court he was a changed man. We have no means of knowing what influences had meanwhile been brought to bear upon him, but the only probable explanation would seem to be that he recognized from the details of the charges that his servants had been forced to betray him, that further resistance would only subject him to torture, and, in his earnest care for the salvation of his soul, that submission to the Church and endurance of the inevitable was the only path to heaven. Still, he could not at once summon resolution to incur the humiliation of a detailed public confession. While he humbly admitted the bishop and inquisitor to be his judges, and on bended knee, with tears and sighs, craved their pardon for the insults which he had showered upon them, and begged for absolution from the excommunication incurred by contumacy; while he took with the prosecutor the *juramentum de calumnia;* while in general terms he acknowledged that he had no objection to make to the charges and confessed the crimes alleged against him, yet when he was required to answer to the articles *seriatim* he at once denied that he had invoked, or caused to be invoked, any malignant spirits; he had, it is true, dabbled in alchemy, but he freely offered himself to be burned if the witnesses to be produced, whose testimony he was willing to accept in advance, should prove that he had invoked demons or entered into pacts with them and offered them sacrifices. All the rest of the charges he specifically denied, but he invited the prosecutor to produce what witnesses he chose, and he (Gilles) would admit their evidence to be conclusive. Although in all this there is a contradiction which casts doubt upon the frankness of the official record, it may perhaps be explained by vacillation not improbable in his terrible position. He did not shrink, however, when his servants and agents, Henriet, Poitou, Prelati, Blanchet, and his two procuresses were brought forward and sworn in his

* Bossard et Maulde, Pr. pp. xvii.–xxx.

presence; he declined the offer of the bishop and inquisitor to frame the interrogatories for their examination, and he declared that he would stand to their depositions and make no exceptions to them or to their evidence. It was the same when, on the 15th and 19th, additional witnesses were sworn in his presence. The examinations of these witnesses, however, were made by notaries in private. The depositions made by Henriet and Poitou, which have been preserved to us, are hideous catalogues of the foulest crimes, minute in their specifications, though the identity between them in trifles, where omissions or discrepancies would be natural, strongly suggests manipulation either of witnesses or of records. That of Prelati is equally full in its details of necromancy, and raises at once the question, not easily answered, why the necromancer, who had richly earned the stake, seems to have escaped all punishment; and the same may be said as to Blanchet, La Meffraye and her colleague, and some others of those involved. It is worthy of note, that in these confessions or depositions the customary formula that they are made without fear, force, or favor is conspicuous by its absence.*

At the hearing of October 20 Gilles was again asked if he had anything to propose, and he replied in the negative. He waived all delay as to the publication of the evidence against him, and when the depositions of his accomplices were read he said he had no exceptions to make to them; in fact, that the publication was unnecessary in view of what he had already said, and what he intended to confess. One would think that this was quite sufficient, for his guilt was thus proved and admitted, but the infernal curiosity of the jurisprudence of the time was never satisfied until it had wrung from the accused a detailed and formal confession. The prosecutor, therefore, earnestly demanded of the bishop and inquisitor that Gilles should be tortured, in order, as he said, to develop the truth more fully. They consulted with the experts and decided that torture should be applied.†

The proud man had hoped to be spared the humiliation of a detailed confession, but this was not to be allowed. On the next

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* Bossard et Maulde, Pr. pp. xxxii.–xxxvi., xxxvii.–xxxviii., lxiv.–lxxii., lxxiii.–lxxxi., lxxxii.–xcii., xciii.–ci.

† Ibid. Pr. pp. xli.–xlii.

day, October 21, the bishop and inquisitor ordered him to be brought in and tortured. Everything was in readiness for it, when he humbly begged them to defer it until the next day, and that meanwhile he would make up his mind so as to satisfy them and render it unnecessary. He further asked that they should commission the Bishop of Saint-Brieuc and Pierre de l'Hôpital to hear his confession in a place apart from the torture. This last prayer they granted, but they would only give him a respite until two o'clock, with the promise of a further postponement until the next day, in case he confessed meanwhile. When the confession made that afternoon, under these circumstances, is officially declared to have been made "freely and willingly and without coercion of any kind," it affords another example of the value of these customary formulas.*

Before the commissioners he made no difficulty of accusing himself of all the crimes wherewith he stood charged. Pierre de l'Hôpital found the recital hard of credence, and pressed him vigorously to disclose the motive which had led to their commission. He was not satisfied with Gilles's declaration that it was simply to gratify his passions, till he exclaimed, "Truly, there was no other cause, object, or intention than I have said. I have told you greater things than that—enough to put ten thousand men to death." The president pressed the matter no further, but sent for Prelati, when the two accomplices freely confirmed each other's statements, and they parted in tears with the affectionate farewell already alluded to.†

There was no further talk of torture. Gilles was now fairly embarked in his new course. Apparently resolved to win heaven by contrition and by the assistance of the Church, this extraordinary man presents, during the remainder of the trial, a spectacle which is probably without an example. When, on the next day, October 22, he was brought before his judges, the proud and haughty baron desired that his confession should be read in public, so that his humiliation should aid in winning pardon from God. Not content with this, he supplemented his confession with abundant details of his atrocities, as though seeking to make to God an acceptable oblation of his pride. Finally, after exhorting those

* Bossard et Maulde, Pr. pp. xliii.-xlv. † Ibid. Pr. pp. xlv.-xlvii.

present to honor and obey the Church, he begged with abundant tears their prayers, and entreated pardon of the parents whose children he had murdered.*

On the 25th he was brought up for sentence. After the bishop and inquisitor had duly consulted their assembly of experts, two sentences were read. The first, in the name of both judges, condemned him as guilty of heretical apostasy and horrid invocation of demons, for which he had incurred excommunication and other penalties of the law, and for which he should be punished according to the canonical sanctions. The second sentence, rendered by the bishop alone, in the same form, condemned him for unnatural crime, for sacrilege, and for violating the immunities of the Church. In neither sentence was there any punishment indicated. He was not pronounced relapsed, and therefore could not be abandoned to the secular arm, and it was apparently deemed superfluous to enjoin on him any penance, as a prosecution had been going on *pari passu* in the secular court, of which the result was not in doubt. The ecclesiastical court had dropped the accusation of murder, after it had served its purpose in exciting popular odium, and had left it to the civil authorities to which it belonged. In fact, the whole elaborate proceedings were a nullity, except so far as they served as a shield for the civil process, and as a basis for confiscating his estates.†

After the reading of the sentences he was asked if he wished reincorporation in the Church. He replied that he had not known what heresy was, nor that he had lapsed into it, but as the Church had declared him guilty, he begged on his knees, with sighs and groans, to be reincorporated. When this ceremony was accomplished he asked for absolution, which was granted. It shows the deceptive nature of the whole proceedings, and how little the bishop and inquisitor thought of anything but the secret object to be attained, that although Gilles was condemned for heresy, he was absolved without subjection to the indispensable ceremony of abjuration, and his request for a confessor was promptly met by the appointment of Jean Juvenal, a Carmelite of Ploermel.‡

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* Bossard et Maulde, Pr. pp. xlviii.-lviii. † Ibid. Pr. pp. lxiii.-lxiv.

‡ Bossard et Maulde, Pr. pp. lx.-lxi.

From the Tour Neuve, where the ecclesiastical court held its sittings, Gilles was at once hurried before the secular tribunal in the Bouffay. It had commenced its inquest on September 18, and had been busily employed in collecting evidence concerning the child-murders, besides which, its presiding judge, Pierre de l'Hôpital, had been present at much of the ecclesiastical trial, and had personally received Gilles's confession. It was thus fully prepared to act, and indeed had already condemned Henriet and Poitou to be hanged and burned. When Gilles was brought in and arraigned he immediately confessed. Pierre urged him to confess in full, and thus obtain alleviation of the penalty due to his sins, and he freely complied. Then the president took the opinions of his assessors, who all voted in favor of death, although there was some difference as to the form. Finally Pierre announced that he had incurred the "*peines pecunielles*," which were to be levied on his goods and lands "with moderation of justice." As for his crimes, for these he was to be hanged and burned, and that he might have opportunity to crave mercy of God, the time was fixed for one o'clock the next day. Gilles thanked him for the designation of the hour, adding that as he and his servants, Henriet and Poitou, had committed the crimes together, he asked that they might be executed together, so that he who was the cause of their guilt might admonish them, and show them the example of a good death, and by the grace of our Lord be the cause of their salvation. If, he said, they did not see him die they might think that he escaped, and thus be cast into despair. Not only was this request granted, but he was told that he might select the place of his burial, when he chose the Carmelite church, the sepulchre of the dukes, and of all that was most illustrious in Brittany. As a last prayer, he begged that the bishop and clergy might be requested to walk in procession prior to his execution the next day, to pray God to keep him and his servants in firm belief of salvation. This was granted, and the morning saw the extraordinary spectacle of the clergy, followed by the whole population of Nantes, who had been clamoring for his death, marching through the streets and singing and praying for his salvation.*

On the way to execution Gilles devoted himself to comforting

* Bossard et Maulde, p. 333; Pr. pp. cxli.-cxliv.

the servants whom he had brought to a shameful death, assuring them that as soon as their souls should leave their bodies they would all meet in paradise. The men were as contrite and as sure of salvation as their master, declaring that they welcomed death in their unbounded trust in God. They were all mounted on stands over piles of wood, with halters around their necks attached to the gallows. The stands were pushed aside, and as they swung the fagots were lighted. Henriet and Poitou were allowed to burn to ashes, but when Gilles's halter was burned through and his body fell, the ladies of his kindred rushed forward and plucked it from the flames. It was honored with a magnificent funeral, and it is said that some of the bones were kept by his family as relics of his repentance.*

Under the Breton laws execution for crime entailed confiscation of movables to the seigneur justicier, but not of the landed estates. Condemnation for heresy, as we have seen, everywhere carried with it indiscriminate confiscation and inflicted disabilities for two generations. Gilles was convicted as a heretic, but the secular sentence is obscure on the subject of confiscation, and in the intricate and prolonged litigation which arose over his inheritance it is difficult to determine to what extent confiscation was enforced. Some twenty years later the "Mémoire des Héritiers" argues that death had expiated his crimes and removed all cause of confiscation, which would seem to indicate that it had taken place. Certain it is that, to assist the Duke of Brittany, René of Anjou in 1450 confiscated Champtocé and Ingrandes, which were under his jurisdiction, and ceded them to the duke to confirm his title. Charles VII., on the other side, had already decreed confiscation in order to help the heirs.†

No disabilities were inflicted upon the descendants, and the house was still regarded as eligible to the noblest alliances. After a year of widowhood, Catharine de Thouars married Jean de Vendôme, Vidame of Chartres, and in 1442 Gilles's daughter, Marie, espoused Prégent de Coétivy, Admiral of France and one of the most powerful men in the royal court. He must have considered the match most desirable, for he submitted to hard conditions in

* Bossard et Maulde, pp. 337-41.

† Très-Anc. Cout. de Bretagne c. 118 (Bourdot de Richebourg, IV. 228).—Bossard et Maulde, pp. 357, 377.

the marriage contract. He resolutely set to work to recover the alienated or confiscated lands, and succeeded in gaining possession of some of the finest estates, including Champtocé and Ingrandes, though his death at the siege of Cherbourg, in 1450, prevented his enjoying them. Marie not long after was remarried with André de Laval, Marshal and Admiral of France, who caused her rights to be respected, but on her death without issue in 1457 the inheritancepassed to Gilles's brother, René de la Suze. The interminable litigation revived and continued until after his death in 1474. He left but one daughter, who had been married to the Prince de Béols in 1446; they had but one son, André de Chauvigny, who died without issue in 1502, when the race became extinct. The barony of Rais lapsed into the house of Tournemine, and at length passed into that of Gondy, to become celebrated in the seventeenth century through the Cardinal de Retz.*

Admitting as we must the guilt of Gilles de Rais, all this throws an uncomfortable doubt over the sincerity of his trial and conviction, and this is not lessened by the fate of his accomplices. Only Henriet and Poitou appear to have suffered; there is no trace of the death-penalty inflicted on any of the rest, though their criminality was sufficient for the most condign punishment, and the facility with which self-incriminating evidence was obtainable by the use of torture rendered unknown the device of purchasing testimony with pardon. Gilles de Sillé, who was regarded as the worst of the marshal's instigators, disappeared and was heard of no more. Next to him ranked Roger de Briqueville. It is somewhat mysterious that the family seem to have regarded this man with favor. Marie de Rais cherished his children with tender care. In 1446 he obtained from Charles VII. letters of remission rehabilitating him, which he certainly could not have procured had not Prégent de Coëtivy favored him, and the latter, in a letter to his brother Oliver, in 1449, desires to be remembered to Roger.†

If the student feels that there is an impenetrable mystery shrouding the truth in this remarkable case, the Breton peasant was troubled with no such doubts. To him Gilles remained the embodiment of cruelty and ferocity. I am not sufficiently versed in folk-lore to express an opinion whether M. Bossard is correct in

* Bossard et Maulde, pp. 370–82. † Ibid. pp. 380; Pr. pp. cxlv.-cxlvi.

maintaining that Gilles is the original of Bluebeard, the monster of the nursery-tale rendered universally popular in the version of Charles Perrault. Yet, even without admitting that the story is of Breton origin, there would seem to be no doubt that in Brittany, La Vendée, Anjou, and Poitou, where the terrible baron had his chosen seats of residence, he is known by the name of Bluebeard, and the legend—possibly an older one—of cruelty to seven wives, has been attached to him who had but one, and who left that one a widow. Tradition relates how the demon changed to a brilliant blue the magnificent red beard that was his pride; and everywhere, at Tiffauges, at Champtocé, at Machecoul, for the peasant, Bluebeard is the lord of the castle where Gilles ruled over their forefathers. Even yet, when the dreaded ruins are approached at dusk, the wayfarer crosses himself and holds his breath. In one ballad the name of Bluebeard and of the Baron de Rais are interchanged as identical, and Jean de Malestroit, Bishop of Nantes, is the champion who delivers the terrorized people from their oppressor.*

Another phase of the popular belief in magic is illustrated in Don Enrique de Aragon, commonly known as the Marquis of Villena. Born in 1384, uniting the royal blood of both Castile and Aragon, his grandfather, the Duke of Gandia and Constable of Castile, destined him for a military life, and forbade his instruction in aught but knightly accomplishments. The child's keen thirst for knowledge, however, overcame all obstacles, and he became a marvel of learning for his unlettered companions. He spoke numerous languages, he was gifted as a poet, and he became a voluminous historian. The occult arts formed too prominent a portion of the learning of the day for him to neglect them, and he became noted for his skill in divination, and for interpreting dreams, sneezes, and portents—things, we are told, not befitting a royal prince or a good Catholic, wherefore he was held in slight esteem by the kings of his time, and in little reverence by the fierce chivalry of Spain. In fact, he is spoken of in terms of undisguised contempt, as one who with all his acquirements knew little that was worth knowing, and who was unfit for knighthood and for worldly affairs, even for regulating his own household; that he

* Bossard et Maulde, pp. 406, 408, 412.

was short and fat, and unduly fond of women and of eating. His astrological learning was ridiculed in the saying that he knew much of heaven and little of earth. He left his wife and gave up his earldom of Tineo in order to obtain the mastership of the Order of Calatrava, but the king soon deprived him of it, and thus, in the words of the chronicler, he lost both. After his death, at the age of fifty, in 1434, the King Juan II. ordered all his books to be examined by Fray Lope de Barrientos, afterwards Bishop of Cuenca, a professor of Salamanca and tutor of the Infante Enrique. A portion of them Fray Lope burned publicly on the plaza of the Dominican convent of Madrid, where the marquis lay buried. He kept the rest—probably to aid him in the books on the occult sciences which he wrote at command of the king.

Don Enrique evidently was a man of culture despised by a barbarous age which could see in his varied accomplishments only the magic skill so suggestive to the popular imagination. He was no vulgar magician. In his commentary on the Æneid he speaks of magic as a forbidden science, of whose forty different varieties he gives a curious classification. The only one of his writings that has reached us on a topic of the kind is a treatise on the evil eye. In common with his age he regards this as an admitted fact, but he attributes it to natural causes; and in the long and learned catalogue of remedies employed by different races from ancient times, he counsels abstinence from those which savor of superstition and are forbidden by the Church. Had he seriously devoted himself to the occult sciences he would scarce have written his "Art of Carving," which was printed in 1766. In this work he not only gives the most minute directions for carving all manner of flesh, fowls, fish, and fruits, but gravely proposes that there shall be a school for training youth of gentle blood in this indispensable accomplishment, with privileges and honors to reward the most efficient graduates.

Yet of this unworldly scholar, neglected and despised during life, popular exaggeration speedily made a magician of wondrous power. His legend grew until there was nothing too wild to be attributed to him. He caused himself to be cut up and packed in a flask with certain conjurations, so as to become immortal; he rendered himself invisible with the herb Andromeda; he turned the sun blood-red with the stone heliotrope; he brought rain and

tempest with a copper vessel; he divined the future with the stone chelonites; he gave his shadow to the devil in the cave of San Cebrian. Every feat of magic was attributed to him; he became the inexhaustible theme of playwright and story-teller, and to the present day he is the favorite magician of the Spanish stage. From this example it is easy to trace the evolution of the myths of Michael Scot, Roger Bacon, Albertus Magnus, Pietro d' Abano, Dr. Faustus, and other popular necromantic heroes.*

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* La Puente Epit. de la Chronica del Rey don Juan II. Lib. III. c. 23; Lib. v. c. 27 (Fernan Perez de Guzman).—Monteiro, Hist. da Santa Inquisição, P. I. Lib. II. c. 40.—Paramo, p. 131.—La Fuente, Hist. Gen. de España, IX. 60.—Pelayo, Heterodoxos Españoles I. 582, 608-11.—Amador de los Rios, Revista de España, T. XVIII. pp. 15-16.

CHAPTER VII.

WITCHCRAFT.

While, as we have seen, princes and warriors were toying with the dangerous mysteries of the occult sciences, influencing the destinies of states, there had been for half a century a gradually increasing development of sorcery in a different direction among the despised peasantry, which, before it ran its course, worked far greater evils than any which had thus far sprung from the same source, and left an ineffaceable stain upon the civilization and intelligence of Europe. There is no very precise line of demarcation to be drawn between the more pretentious magic and the vulgar details of witchcraft; they find their origin in the same beliefs and fade into each other by imperceptible gradations, and yet, historically speaking, the witchcraft with which we now have to deal is a manifestation of which the commencement cannot be distinctly traced backward much beyond the fifteenth century. Its practitioners were not learned clerks or shrewd swindlers, but ignorant peasants, for the most part women, who professed to have skill to help or to ban, or who were credited by their neighbors with such power, and were feared and hated accordingly. Of such we hear little during the darkest portion of the Middle Ages, but with the dawn of modern culture they confront us as a strange phenomenon, of which the proximate cause is exceedingly obscure. Probably it may be traced to the effort of the theologians to prove that all superstitious practices were heretical in implying a tacit pact with Satan, as declared by the University of Paris. Thus the innocent devices of the wise-women in culling simples, or in muttering charms, came to be regarded as implying demon-worship When this conception once came to be firmly implanted in the minds of judges and inquisitors, it was inevitable that with the rack they should extort from their victims confessions in accordance with their expectations. Every new trial would add fresh

embellishments to this, until at last there was built up a stupendous mass of facts which demonologists endeavored to reduce to a science for the guidance of the tribunals.

That such was the origin of the new witchcraft is rendered still more probable by the fact that its distinguishing feature was the worship of Satan in the Sabbat, or assemblage, held mostly at night, to which men and women were transported through the air, either spontaneously or astride of a stick or stool, or mounted on a demon in the shape of a goat, a dog, or some other animal, and where hellish rites were celebrated and indiscriminate license prevailed. Divested of the devil-worship now first introduced, such assemblages have formed part of the belief of all races. In Hindu superstition the witches, through the use of mystic spells, flew naked through the night to the places of meeting, where they danced, or to a cemetery, where they gorged themselves with human flesh or revived the dead to satiate their lust. The Hebrew witch flew to the Sabbat with her hair loosened, as when it was bound she was unable to exercise her full power. Among the Norsemen we have seen the *trolla-thing*, or assemblage of witches, for their unholy purposes.* In the Middle Ages the first allusion which we meet concerning it occurs in a fragment, not later than the ninth century, in which it is treated as a diabolical illusion—"Some wicked women, reverting to Satan, and seduced by the illusions and phantasms of demons, believe and profess that they ride at night with Diana on certain beasts, with an innumerable multitude of women, passing over immense distances, obeying her commands as their mistress, and evoked by her on certain nights. It were well if they alone perished in their infidelity and did not draw so many along with them. For innumerable multitudes, deceived by this false opinion, believe all this to be true, and thus relapse into pagan errors. Therefore, priests everywhere should preach that they know this to be false, and that such phantasms are sent by the Evil Spirit, who deludes them in dreams. Who is there who is not led out of himself in dreams, seeing much in sleeping that he never saw waking? And who is such a fool that he believes that to happen in the body which is only done in the

* Weber, Indische Skizzen, p. 112.—Wagenseilii Comment. ad Mishna, Sootah, I. 5.—Grimm's Teuton. Mythol. III. 1044.

spirit? It is to be taught to all that he who believes such things has lost his faith, and he who has not the true faith is not of God, but the devil." In some way this utterance came to be attributed to a Council of Anquira, which could never be identified; it was adopted by the canonists and embodied in the successive collections of Regino, Burchard, Ivo, and Gratian—the latter giving it the stamp of unquestioned authority—and it became known among the doctors as the *Cap. Episcopi*. The selection of Diana as the presiding genius of these illusory assemblages carries the belief back to classical times, when Diana, as the moon, was naturally a night-flyer, and was one of the manifestations of the triform Hecate, the favorite patroness of sorcerers. Under the Barbarians, however, her functions were changed. In the sixth century we hear of "the demon whom the peasants call Diana," who vexed a girl and inflicted on her visible stripes, until expelled by St. Cæsarius of Arles. Diana was the *dæmonium meridianum*, and the name is used by John XXII. as synonymous with succubus. In some inexplicable way Bishop Burchard, in the eleventh century, when copying the text, came to add to Diana Herodias, who remained in the subsequent recensions, but Burchard in another passage substitutes as the leader Holda, the Teutonic deity of various aspect, sometimes beneficent to housewives and sometimes a member of Wuotan's Furious Host. In a tract attributed to St. Augustin, but probably ascribable to Hugues de S. Victor, in the twelfth century, the companion of Diana is Minerva, and in some conciliar canons of a later date there appears another being known as Benzozia, or Bizazia; but John of Salisbury, who alludes to the belief as an illustration of the illusions of dreams, speaks only of Herodias as presiding over the feasts for which these midnight assemblages were held. We also meet with Holda, in her beneficent capacity as the mistress of the revels, under the name of the Domina Abundia or Dame Habonde. She was the chief of the *dominæ nocturnæ*, who frequented houses at night and were thought to bring abundance of temporal goods. In the year 1211 Gervais of Tilbury shows the growth of this belief in his account of the *lamiæ* or *mascæ*, who flew by night and entered houses, performing mischievous pranks rather than malignant crimes, and he prudently avoids deciding whether this is an illusion or not. He also had personal knowledge of women who flew by night in crowds with

these *lamiæ*, when any one who incautiously pronounced the name of Christ was precipitated to the earth. Half a century later Jean de Meung tells us that those who ride with Dame Habonde claim that they number a third of the population, and when the Inquisition undertook the suppression of sorcery, in its formula of interrogatories, as we have seen in the preceding chapter, there was a question as to the night-riding of the good women.*

Thus the Church, in its efforts to suppress these relics of pagandom, preferred to regard the nocturnal assemblages as a fiction, and denounced as heretical the belief in the reality of the delusion. This, as part of the canon law, remained unalterable, but alongside of it grew up, with the development of heresy, tales of secret conventicles, somewhat similar in character, in which the sectaries worshipped the demon in the form of a cat or other beast, and celebrated their impious and impure rites. Stories such as this are told of the Cathari punished at Orleans in 1017, and of their successors in later times; and the Universal Doctor, Alain de Lille, even derives the name of Cathari from their kissing Lucifer under

* Frag. Capitular. c. 13 (Baluz. II. 365). — Reginon. de Eccles. Discip. II. 364.—Burchard. Decret. XI. 1, XIX. 5.—Ivon. Decret. XI. 30.—Gratian. Decret. II. XXVII. v. 12.—Servius in Virgil. Æneid. IV. 511, VI. 118.—Vit. S. Cæsar. Arelat. Lib. II. c. 2. — Raynald. ann. 1317, No. 53. — Grimm's Teut. Mythol. I. 268 sqq.—Finn Magnusen Boreal. Mythol. Lexicon, pp. 7, 71, 567.—Lib. de Spiritu et Anima c. 28.—Augerii Cenomanens. Statut. (Du Cange s. v. *Diana*).—Conc. Trevirens. ann. 1310 c. 81 (Martene Thesaur. IV. 257).—Conc. Ambianens. cap. iii. No. 8 (Martene Ampl. Coll. VII. 1241).—Johann. Saresberiens. Polycrat. II. xvii. — Grimm's Teut. Mythol. III. 1055-7. — Wright's Dame Kyteler, pp. iv., xxxvi.—Gervas. Tilberiens. Otia Imp. Decis. III. c. 86, 93.—Jean de Meung says—

"Maintes gens par lor folie
Cuident estre par nuict estrées
Errant avecques Dame Habonde;
Et dient que par tout le monde
Li tiers enfant de nacion
Sunt de ceste condicion."
(Roman de la Rose, 18624.—Wright, loc. cit.).

A story in Jac. de Voragine's life of St. Germain l'Auxerrois illustrates the genesis of the belief concerning the Dame Habonde and her troop, who assisted in household work. On visiting a certain house St. Germain found that the supper-table was set by "the good women who walk by night." He remained up and saw a crowd of demons, in the shape of men and women, who came to set it; he commanded them to stay, and woke the family, who recognized in the intruders their neighbors, but the latter, on investigation, were found in their beds, and the demons confessed that the likenesses were assumed for the purpose of deception.—Jac. de Vorag. s. v. *S. Germanus.*

the tail in the shape of a cat.* How the investigators of heresy came to look for such assemblages as a matter of course, and led the accused to embellish them until they assumed nearly the development of the subsequent Witches' Sabbat, is seen in the confessions of Conrad of Marburg's Luciferans, and in some of those of the Templars.

Yet the belief in the night-riders with Diana and Herodias continued, until the latter part of the fifteenth century, to be denounced as a heresy, and any one who persisted in retaining it after learning the truth was declared to be an infidel and worse than a pagan.† It was too thoroughly implanted, however, in ancestral popular superstition to be eradicated. In the middle of the thirteenth century the orthodox Dominican, Thomas of Cantimpré, speaks of the demons who, like Diana, transport men from one region to another and delude them into worshipping mortals as gods. Others, he says, carry away women, replacing them with insensible images, who are sometimes buried as though dead. Thus, when the peasant wise-women came to be examined as to their dealings with Satan, they could hardly help, under intolerable torture, from satisfying their examiners with accounts of their nocturnal flights. Between judge and victim it was easy to build up a coherent story, combining the ancient popular belief with the heretical conventicles, and the time soon came when the confession of a witch was regarded as incomplete without an account of her attendance at the Sabbat, which was the final test of her abandonment to Satan. These stories became so universal and so complete in all their details that they could not be rejected without discrediting the whole structure of witchcraft. The theory of illusion was manifestly untenable, and demonologists and inquisitors were sadly at a loss to reconcile the incontrovertible facts with the denunciations by the Church of such beliefs as heresy. A warm controversy arose. Some held to the old doctrine that the

* Pauli Carnot. Vet. Agano. Lib. VI. c. 3.—Adhemari Cabannens. ann. 1022. —Gualteri Mapes de Nugis Curialium Dist. I. c. 30.—Alani de Insulis contra Hæret. Lib. I. c. 63.

† Concil. Trevirens. ann. 1310 c. 81 (Martene Thes. IV. 257).— Concil. Ambianens. c. 1410 cap. iii. No. 8 (Martene Ampl. Coll. VII. 1241).—Eymeric. p. 341.—Alonso de Spina, Fortalic. Fidei, fol. 284.—Albertini Repertor. Inquisit. s. v. *Xorguina.*

devil cannot transport a human body or make it pass through a disproportionate opening, but they endeavored to explain the admitted facts by enlarging on his powers of creating illusions. The witch consecrated herself to him with words and with anointing, when he would take her figure or phantasm and lead it where she wished, while her body remained insensible and covered with a diabolical shadow, rendering it invisible; when the object had been accomplished, he brought back the phantasm, reunited it to the body, and removed the shadow. The question turned upon the ability of the devil to carry off human beings, and this was hotly debated. A case adduced by Albertus Magnus, in a disputation on the subject before the Bishop of Paris, and recorded by Thomas of Cantimpré, in which the daughter of the Count of Schwalenberg was regularly carried away every night for several hours, gave immense satisfaction to the adherents of the new doctrine, and eventually an ample store of more modern instances was accumulated to confirm Satan in his enlarged privileges.*

In 1458 the Inquisitor Nicholas Jaquerius hit upon the true solution of the difficulty by arguing that the existing sect of witches was wholly different from the heretics alluded to in the *Cap. Episcopi*, and adduced in evidence of their bodily presence in the Sabbat numberless cases which had come before him in his official capacity, including one of a man who, as a child, fifty-five years before, had been carried thither by his mother in company with an infant brother, and presented to Satan wearing the form of a goat, who with his hoofs had imprinted on them an indelible mark—the *stigma diabolicum*. Jaquerius, however, adds, reasonably enough, that even if the affair is an illusion, it is none the less heretical, as the followers of Diana and Herodias are necessarily

* Thom. Cantimprat. Bonum universal. Lib. II. c. 56.—Alonso de Spina, Fortalic. Fidei, fol. 284.—Bern. Basin de Artibus Magicis.—Ulric. Molitor. de Python. Mulierib. Conclus. IV.—Th. Cantimprat. ubi sup.—Mall. Maleficar. P. ii. Q. i. c. 3.—Prieriat. de Strigimag. Lib. i. c. xiv., Lib. ii. c. 1.

Friar Thomas gives circumstantial contemporary instances occurring in Flanders, where women were carried away and their images were on the point of burial, when the deception was accidentally discovered, and the images, on being cut open, were found to consist of rotten wood covered with skin. He admits his inability to explain these cases, and says that on consulting Albertus Magnus about them the latter evaded a positive answer (Bonum universale, ubi sup.).

heretics in their waking hours. These speculations of Jaquerius attracted little attention at the time. Thirty years later, Sprenger, who did so much to formulate belief and organize persecution, found the *Cap. Episcopi* a constant stumbling-block in his path, as sceptics were apt to argue that, if the Sabbat was an illusion, all witchcraft was illusory. He endeavored, therefore, to argue it away, assuming that, while the devil undoubtedly possessed the power of transportation, the presence of the witch frequently was only mental. In such case she lay down on the left side and invoked the devil, when a whitish vapor would issue from her mouth, and she saw all that occurred. If she went personally, and had a husband, an accommodating demon would assume her shape and take her place to conceal her absence. Gianfrancesco Pico della Mirandola takes the same ground, that presence at the Sabbat was sometimes real and sometimes imaginary; the place of assemblage was beyond the river Jordan, and transportation thither took place instantaneously. He avoids the definition of the *Cap. Episcopi* by assuming that the Decretum of Gratian had not the authority of law, and was corrupt in many places. The Inquisitor Bernardo di Como, about 1500, in addition to these arguments, had triumphantly adduced the fact that numerous persons had been burned for attending the Sabbat, which could not have been done without the assent of the pope, and this was sufficient proof that the heresy was real, for the Church punishes only manifest crimes.*

About this time the learned jurist, Gianfrancesco Ponzinibio, wrote a tract on the subject of witchcraft in which he upheld the doctrine of the *Cap. Episcopi* and boldly applied it to all magic and sorcery, which he treated as delusions. With a vast array of authorities he proved his case; he exposed the baldness of the pretence that existing witches belonged to a different sect; he argued that their confessions are not to be received, as they confess what is illusory and impossible, and that their evidence as to their associates is to be rejected, as they are deluded and can only delude others. Lawyers, he added, ought to take part in trials before the Inquisition, as they are trained to deal with criminal

* Fr. Nich. Jaquerii Flagellum Hæret. Fascinar. c. vii., xxviii.—Mall. Malef. P. I. Q. i. c. 10; P. II. Q. i. c. 8, 9.—G. F. Pico della Mirandola, La Strega, Milano, 1864, pp. 61, 73.—Bernardi Comensis de Strigiis c. 3–6.

cases. This aroused the learned theologian, Silvestro Mozzolino of Prierio, Master of the Sacred Palace and subsequently Dominican General, who, in 1521, responded in a voluminous treatise devoted to the disputed canon. As the utterance of the Council of Anquira, presumably confirmed by the Holy See, he does not dare to deny its authority, but he adopts the same reasoning as Jaquerius, and laboriously argues that the heretics to whom it refers had disappeared, that the existing witches are a new sect, originating in 1404, and that the definitions of the canon are, therefore, obsolete and inapplicable to existing circumstances. To deny the bodily presence of witches at the Sabbat, he says, is to discredit the infinite number of cases tried by the Inquisition, and consequently to discredit the laws themselves.* He was followed by his successor in the mastership of the Sacred Palace, Bartolomeo de Spina, who devoted three tracts to the annihilation of Ponzinibio. The latter had suggested, logically enough, though maliciously, that as the *Cap. Episcopi* had defined as a heresy the belief that witches are corporally carried to the Sabbat, inquisitors in administering abjuration to their penitents ought to make them abjure this heresy among others. The absurd position in which this placed the Inquisition aroused Spina's indignation to the utmost. "O wonderful presumption! O detestable insanity!" he exclaimed. "Only heretics abjure, only heresies are abjured before inquisitors. Is then that belief a heresy which inquisitors defend, and according to which they judge the enemies of the faith to be worthy of extreme damnation?—that opinion which illustrious theologians and canonists prove to be true and catholic? O the extreme stolidity of the man! Must, then, all theologians and judges, the inquisitors themselves, of all Italy, France, Germany, and Spain, holding this opinion abjure before the Inquisition?"—and he concludes by calling upon the Inquisition to proceed against Ponzinibio as vehemently suspect of heresy, as a fautor and defender of heretics, and

* Ponzinib. de Lamiis c. 49, 50, 52–3, 61–3, 65–6.—Pricriat. de Strigimagar. Lib. II. c. 1.

Paramo (De Orig. Offic. S. Inq. p. 296) also adopts the date of 1404 as that of the origin of the sect of witches. This is probably founded on confusing Innocent VIII., who commenced to reign in 1484, with Innocent VII., who began in 1404. In the former's bull *Summis desiderantes*, dated in his first regnal year, he speaks of witches as a new sect, and Prierias refers this to 1404.

as an impeder of the Holy Office.* This sufficiently shows that the new beliefs had completely conquered the old. The question had passed beyond the range of reason and argument, and everywhere throughout Europe the Witches' Sabbat was accepted as an established fact, which it was dangerous to dispute. Jurists and canonists might amuse themselves with debating it theoretically; practically it had become the veriest commonplace of the courts, both secular and ecclesiastical.

That the details of the Sabbat varied but little throughout Europe is doubtless to be ascribed to the leading questions habitually put by judges, and to the desire of the tortured culprits to satisfy their examiners, yet this consentaneity at the time was an irrefragable proof of truth. The first step of the witch was to secure a consecrated wafer by pretending to receive communion, and carrying the sacrament home. On this was fed a toad, which was then burned, and the ashes were mixed with the blood of an infant, unbaptized if possible, powdered bone of a man who had been hanged, and certain herbs. With this mixture the witch anointed the palms of her hands, or her wrist, and a stick or stool which she placed between her legs, and she was at once transported to the place of meeting. As a variant of this the ride was sometimes made on a demon in the shape of a horse, or goat, or dog. The assembly might be held anywhere, but there were certain spots specially resorted to — in Germany the Brocken, in Italy an oak-tree near Benevento, and there was, besides, the unknown place beyond the Jordan. At all these they gathered in thousands. Thursday night was the one generally selected. They feasted at tables loaded with meat and wine which rose from the earth at the command of the presiding demon, and they paid homage to the devil, who was present, usually in the form of a goat, dog, or ape. To him they offered themselves, body and soul, and kissed him under the tail, holding a lighted candle. They trampled and spat upon the cross and turned up their backs to heaven in derision of God. The devil preached to them, sometimes commencing with a parody of the mass; he told them that they had no souls and that there was no future life; they were not to go to church or confession, or to use holy water, or, if they did so to

* Ponzinib. de Lamiis c. 65.—Bart. Spinei de Strigibus, p. 175, Romæ, 1575.

avoid suspicion, they must say "By leave of our Master," and they were to bring him as many converts as they could, and work all possible evil to their neighbors. There was usually a dance, which was unlike any seen at honest gatherings. At Como and Brescia a number of children from eight to twelve years of age, who had frequented the Sabbat, and had been reconverted by the inquisitors, gave exhibitions in which their skill showed that they had not been taught by human art. The woman was held behind her partner and they danced backwards, and when they paid reverence to the presiding demon they bent themselves backwards, lifting a foot in the air forwards. The rites ended with indiscriminate intercourse, obliging demons serving as incubi or succubi as required. The reality of all this did not depend alone upon the confessions of the accused, for there was a well-known case occurring about the year 1450, when the Inquisitor of Como, Bartolomeo de Homate, the podestà Lorenzo da Concorezzo, and the notary Giovanni da Fossato, either out of curiosity or because they doubted the witches whom they were trying, went to a place of assembly at Mendrisio and witnessed the scene from a hiding-place. The presiding demon pretended not to know their presence, and in due course dismissed the assembly, but suddenly recalled his followers and set them on the officials, who were so beaten that they died within fifteen days.*

All this was, of course, well fitted to excite the horror of the faithful and stimulate the zeal of the inquisitor, but it was only the pastime of the witch, and the reward given to her by her master for her labors and her allegiance. Her serious occupation was in works of evil. She was abandoned, body and soul, to Satan, and was the instrument which he used to effect his malignant purposes. The demonologists argued that the witch was as necessary to the demon as the demon to the witch, and that neither could operate without the other. She was not like the magicians and sorcerers, who merely earned their livelihood by selling their services, sometimes for good purposes and sometimes for bad, but she was a being wholly evil, delighting in the exercise of her powers

* Mémoires de Jacques du Clercq, Liv. IV. ch. 4.—Chron. Cornel. Zantfliet ann. 1460 (Martene Ampl. Coll. V. 502).—Bernardi Comensis de Strigiis c. 3.—Prieriat. de Strigimag. Lib. I. c. 2, 14; Lib. II. c. 1, 4.

for the destruction of her neighbors, and constantly exhorted to activity by her master. Those powers, moreover, were sufficient to justify the terror in which she was held by the people. Sprenger divides witches into three classes, those who can injure and not cure, those who can cure and not injure, and those who can do both, and the worst are those who unite these faculties, for the more they insult and offend God, the greater power of evil he gives them. They kill and eat children, or devote them to the devil if unbaptized. They cause abortion by merely laying a hand upon a woman, or dry up her milk if she is nursing. By twirling a moistened broom, or casting flints behind them towards the east, or boiling hogs' bristles in a pot, or stirring a pool with a finger, they raise tempests and hail-storms which devastate whole regions; they bring the plagues of locusts and caterpillars which devour the harvests; they render men impotent and women barren, and cause horses to become suddenly mad under their riders. They can make hidden things known and predict the future, bring about love or hatred at will, cause mortal sickness, slay men with lightning, or even with their looks alone, or turn them into beasts. We have the unquestioned authority of Eugenius IV. that by a simple word or touch or sign they can bewitch whom they please, cause or cure sickness, and regulate the weather. Sometimes they scattered over the fields powders which destroyed the cattle. They constantly entered houses at night, and, sprinkling a powder on the pillows of the parents which rendered them insensible, would touch the children with fingers smeared with a poisonous unguent causing death in a few days; or they would thrust needles under the nails of an infant and suck the blood, which was partly swallowed and partly spit into a vessel to serve in the confection of their infernal ointments; or the child would be put upon the fire and its fat be collected for the same purpose. Witches, moreover, could transform themselves into cats and other beasts, and Bernardo di Como gravely cites the case of the companions of Ulysses, as adduced by St. Augustin, to prove the reality of such illusions. Ludicrous as all this may seem, every one of these details has served as the basis of charges under which countless human beings have perished in the flames.*

* Mall. Maleficar. P. II. Q. i. c. 2, 4, 11, 15; Q. ii. c. 4.—Prieriat. de Strigimag.

One very peculiar power ascribed to witches was that of banqueting in the Sabbat on infants and cattle, and then restoring them to life. We have seen the belief in early times, and among races far apart, that sorceresses could gnaw and eat men internally, which probably arose from painful gastric maladies ascribed to sorcery. In the genesis of the Sabbat this took the shape, as described by Bishop Burchard in the eleventh century, that in the nocturnal meetings under the guidance of Holda men would be slain without weapons, their flesh cooked and eaten, and then they would be brought to life again, with straw or a piece of wood substituted for their hearts. The Church was not as yet ready to accept these marvels, and Burchard penances belief in them with fasting on bread and water for seven Lents. In the next century John of Salisbury ascribes to the illusion of dreams the popular superstition that lamiæ tore children to pieces, devoured them, and returned them to their cradles; and about 1240 Guillaume d'Auvergne speaks of the superstition spread by old women of the "ladies of the night" or "good women" who appear to tear children to pieces, or to cook them on the fire. Of course this formed part of the perfected stories of the Sabbat. In some witch-trials in the Tyrol, in 1506, there are frequent allusions to children and domestic animals carried to the feast and devoured, and though they remained alive, they were doomed to die soon afterwards. The witches of the Canavese confessed that their practice was to select fat cattle from a neighboring farmer, slaughter and eat them, and then, collecting the bones and hides, resuscitate them with the simple formula "*Sorge, Ranzola.*" In one case a farmer of Levone, named Perino Pasquale, killed a sick ox and skinned it, and, naturally enough, himself died within a week, as well as his dog, which lapped some of the blood; and the occurrence, according to custom, was subsequently explained by a witch on trial, who confessed that the ox was one which had thus been eaten and

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Lib. II. c. 7, 9. — Ulric. Molitor. de Python. Mulierib. — Ripoll III. 193. — Pico della Mirandola, La Strega, pp. 84–5. — Bernardi Comens. de Strigiis c. 7.

It is the universal testimony of the demonologists that vastly more women than men were thus involved in the toils of the Devil. To explain this, Sprenger indulges in a most bitter tirade against women, and piously thanks God for preserving the male sex from such wickedness (Mall. Malef. P. I. Q. vii.).

resuscitated, when the assembled witches resolved that whoever killed it, and the first who should eat of it, should perish. Such feats as these, it is true, gave the opponents of witchcraft the advantage of arguing that they attributed to Satan the power of God in resuscitating and recreating the dead, and the demonologists, thus hard pushed, were obliged to admit that this portion of the Sabbat was illusory, but they triumphantly added that this only proved the empire of Satan over his dupes.*

The killing of unbaptized children was one of the special duties imposed by Satan on his servants, which the theologians explained by the fact that they were thus damned for original sin, and, therefore, the Day of Judgment was postponed, as the number of the elect requisite before the destruction of the world is thus more tardily completed. At a little town near Basle a witch who was burned confessed that while acting as midwife she had killed more than forty infants by thrusting a needle into the superior fontanelle. Another, of the diocese of Strassburg, had thus disposed of innumerable children, when she was detected by accidentally letting fall the arm of a new-born child while passing the gate of a town in which she had been performing her functions. Witch midwives, when they abstained from this, were in the habit of dedicating to Satan the babes whom they delivered. It was doubtful whether the infants were thus in reality surrendered to Satan, but at least they were subjected to his influence, and likely to grow up witches. This, and dedication by witch mothers, explain the fact that girls oven of eight and ten years of age were

* Burchardi Decret. XIX. 5.—Johann. Saresberiens. Polycrat. II. xvii.—Grimm, Teut. Mythol. III. 1059.—Rapp, Die Hexenprocesse und ihre Gegner aus Tyrol, Innsbruck, 1874, p. 146.—P. Vayra, Le Streghe nel Canavese (Curiosità di Storia Subalpina, 1874, pp. 229, 234-5).—Bernardi Comensis de Strigiis c. 8.

A development of this belief is seen in the feat, referred to in the preceding chapter, of Zyto, the magician of the Emperor Wenceslas, who swallowed a rival conjurer and discharged him alive in a vessel of water.

Yet concurrently with this the belief existed in the absolute eating of children. Peter of Berne told Nider that in his district thirteen were thus despatched in a short time, and he learned from a captured witch that they were killed in their cradles with incantations, dug up after burial, and boiled in a caldron. The magic unguent was made out of the flesh, while the soup had the power of winning over to the sect of Devil-worshippers whoever partook of it.—Nider Formicar. Lib. v. c. iii.

able to bewitch people and to raise tempests of hail and rain. In Swabia a case occurred of one who, at the age of eight, innocently revealed her power to her father, in consequence of which her mother, who had thus dedicated her, was burned. The witch midwives were so numerous that there was scarce a hamlet without them.*

There was apparently no limit to the evil wrought by Satan through the instrumentality of those who had thus surrendered themselves to him. Sprenger relates that one of his colleagues on a tour of duty reached a town almost depopulated on account of pestilence. Hearing a report that a woman lately buried was swallowing her winding-sheet, and that the mortality would not cease until she had accomplished the deglutition, he caused the grave to be opened and the sheet was found half swallowed. The mayor of the town drew his sword and cut off the head of the corpse and threw it out of the grave, when the pest ceased at once. An inquisition was held and the woman was found to have long been a witch. Sprenger might well deplore the threatened devastation of Christendom arising from the neglect of the authorities to suppress these crimes with due severity.†

To understand the credulity which accepted these marvels as the most portentous and dreadful of realities, it must be borne in mind that they were not the wild inventions of the demonologists, but were facts substantiated by evidence irrefragable according to the system of jurisprudence. Torture by this time had long been used universally in criminal trials when necessary; no jurist conceived that the truth could be elicited in doubtful cases without it. The criminal whom endless repetition of torment had reduced to stolid despair naturally sought to make his confession square with the requirements of his judge; the confession once made he was doomed, and knew that retraction, in place of saving him, would only bring a renewal and prolongation of his sufferings. He therefore adhered to his confession, and when it was read to him in public at his condemnation he admitted its truth.‡ In many cases,

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* Mall. Malef. P. II. Q. i. c. 13; P. III. Q. xxxiv.

† Mall. Malef. P. I. Q. xii., xv.

‡ In England, where torture was illegal, the growth of witchcraft was much slower. When the craze came an efficient substitute for torture was found in

moreover, torture and prolonged imprisonment in the foulest of dungeons doubtless produced partial derangement, leading to belief that he had committed the acts so persistently imputed to him. In either case, desire to obtain the last sacrament, which was essential to salvation and which was only administered to contrite and repentant sinners, would induce him to maintain to the last the truth of his confession. No proof more unquestionable than this could be had of any of the events of life, and belief in the figments of witchcraft was therefore unhesitating. To doubt, moreover, if not heresy, was cause for vehement suspicion. The Church lent its overpowering authority to enforce belief on the souls of men. The malignant powers of the witch were repeatedly set forth in the bulls of successive popes for the implicit credence of the faithful, and the University of Cologne, in 1487, when expressing its approval of the *Malleus Maleficarum* of Sprenger, warned every one that to argue against the reality of witchcraft was to incur the guilt of impeding the Inquisition.*

What rendered the powers of the witch peculiarly dreadful was the deplorable fact that the Church had no remedy for the evils which she so recklessly wrought. It is true that the sign of the cross, and holy water, and blessed oil, and palms, and candles, and wax and salt, and the strict observance of religious rites were in some sense a safeguard and a preventive. A witch confessed that she had been employed to kill a certain man, but when she invoked the devil for the purpose he replied that he could not do it, as the intended victim kept himself protected by the sign of the cross, and that the utmost injury that could be inflicted on him was the destruction of one eleventh of his harvests; and another one stated that on their nocturnal rounds to destroy children they were unable to enter houses in which were kept palms and blessed bread or crosses of palms or olive, or to injure those who habitually protected themselves with the sign of the cross. But it was acknowledged that, when once the spell had been cast, the victim

"pricking" or thrusting long needles in every part of the victim's body in search of the insensible spot which was a characteristic of the witch.

* Ripoll III. 193.—Pegnæ Append. ad Eymeric. pp. 83, 84, 85, 99, 105.—Approbat. Univ. Coloniens. in Mall. Malef.

For an official selection of papal bulls on the subject see Lib. Sept. Decret. Lib. v. Tit. xii.

could find no relief on earth or in heaven—human means were useless, and exorcism and the invocation of saints were powerless except in demoniacal possession. The only cure was from the devil through other witches. Curative sorcery had long been a subject of debate in theologic ethics, but it had been formally condemned as inadmissible. It not only was a pact, tacit or expressed, with Satan, but it was ascertained that one of his leading objects in urging his acolytes to injure their neighbors was to force the sufferer in despair to have recourse to sorcery and thus be drawn into evil ways. This was illustrated by a case, celebrated among demonographers, of a German bishop who, in Rome, fell madly in love with a young girl and induced her to accompany him home. During the journey she undertook to kill him by sorcery, that she might make off with the jewels with which he had loaded her, and he was nightly attacked with a burning pain in his chest which resisted all the resources of his physicians. His life was despaired of, when recourse was had to an old woman who recognized the source of his affection and told him he could only be saved by the same methods, involving the death of the bewitcher. His conscience would not allow him to assent to this without permission; he applied to Pope Nicholas V., who kindly granted him a dispensation, and then he ordered the old woman to do what she proposed. That night he was perfectly well, and word was brought him that his young paramour was dying. He went to console her, but she naturally received him with maledictions, and died devoting her soul to Satan. As Bodin admiringly remarks, the devil was cunning enough to make a pope, a bishop, and a witch all obey him, and all become accomplices in a homicide.*

Thus a very profitable trade sprang up in counteracting witchcraft, and many witches confined themselves to this branch of the profession, although they were as liable as their adversaries to condemnation for compact with the devil, for it was an incontrovertible fact that they could only relieve a sufferer by transferring

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* Bernardi Comens. de Strigiis c. 14.—Mall. Maleficar. P. II. Q. i., ii.—P. Vayra, Le Streghe nel Canavese, op. cit. p. 230.—Artic. Univers. Paris. No. 5.—Concil. Lingonens. ann. 1403 c. 4.—Prieriat. de Strigimag. Lib. II. c. 10.—Bodini Magor. Dæmonoman. p. 283.

his disease to some one else or by performing some equivalent evil act. Sprenger tells us that they were to be found every German mile or two. At Reichshofen was one whose business was so large that the lord of the place levied a toll of a penny on every one who came to her for relief, and used to boast of the large revenue which he derived from this source. A man named Hengst, at Eningen, near Constance, had more applicants than any shrine of the Virgin—even than that at Aix—and in winter, when the highways were blocked with snow, those which led to his house were trampled smooth by the crowds of his patients.*

When once the belief was fairly started in the existence of beings possessed of the powers which I have described, and actuated by motives purely malignant, it was destined to inevitable extension under the stimulus afforded by persecution. Every misfortune and every accident that occurred in a hamlet would be attributed to witchcraft. Suspicion would gradually attach to some ill-tempered crone, and she would be seized, for inquisitors held that a single careless threat, such as "You will be sorry for this," if followed by a piece of ill-luck, was sufficient to justify arrest and trial.† All the neighbors would flock in as accusers—this one had lost a cow, that one's vintage had been ruined by hail, another's garden-patch had been ravaged by caterpillars, one mother had suffered an abortion, another's milk had suddenly dried, another had lost a promising child, two lovers had quarrelled, a man had fallen from an apple-tree and had broken his neck—and under the persuasive influence of starvation or of the rack the unfortunate woman would invent some story to account for each occurrence, would name her accomplices in each, and tell whom she had met in the Sabbats, which she attended regularly. No one can read the evidence adduced at a witch-trial, or the confessions of the accused, without seeing how every accident and every misfortune and every case of sickness or death which had occurred in the vicinage for years was thus explained, and how the circle of suspicion widened so that every conviction brought new victims; burnings multiplied, and the terrified community was ready to believe that a half or more of its members were slaves of

* Pricriat. Lib. III. c. 3.—Mall. Malef. P. II. Q. ii.

† Bernard. Comens. de Strigiis c. 14.

Satan, and that it would never be free from their malignant vengeance until they should all be exterminated. For more than two centuries this craze was perpetually breaking out in one part of Europe after another, carefully nursed and stimulated by popes and inquisitors like Innocent VIII. and Leo X., Sprenger and Institoris, Bernard of Como and Bishop Binsfeld, and the amount of human misery thence arising is simply incomputable.

Fortunately on one side there was a limitation upon the otherwise illimitable powers of the witch. The contrast was so absurd between the faculties attributed to her and her utter inability to protect herself against those who tortured and burned her with impunity, that some explanation of the inconsistency was requisite. The demonologists therefore invented the comforting theory that through the goodness of God the witch instantaneously lost her power as soon as the hand of an officer of justice was laid upon her. But for this, indeed, it might have been difficult to find men hardy enough to seize, imprison, try, and execute these delegates of Satan, whose slightest ill-will was so dangerous. Judges and their officials thus were encouraged to perform their functions and were told that they need dread no reprisals. It was true that, like all theories framed to meet artificial conditions, this one was not always reconcilable to the facts. The strange fortitude with which the culprits occasionally endured the severest and most prolonged tortures, so far from being a proof of innocence, was regarded as showing that even in the hands of justice the devil was sometimes able to protect his servants by endowing them with what was called the gift of taciturnity, and the ingenuity of the inquisitors was taxed to the utmost to overcome his wiles. When this was once admitted it was difficult to deny that he could assist them in other ways, and it was recommended to the officers charged with the arrest that when they seized a witch they should on no account allow her to enter her chamber, lest she should secure some charm that would enable her to endure the torture. Such charms might be secreted about her person, or under the skin, or even in accessible cavities of the body, so the first thing to be done was to shave the prisoner from head to foot and subject her to the most indecent examination. It was on record that in Ratisbon some heretics condemned to be burned remained unhurt in the flames; vainly were they submerged in

the river and roasted again. A three days' fast was ordered for the whole city, when it was revealed that they had charms concealed in a certain spot under the skin, and after the removal of these there was no further trouble in reducing them to ashes. Charms could also be used from a distance. At Innsbruck a witch boasted that if she had a single thread of a prisoner's garment she could cause him to endure torture to the death without confessing. Some inquisitors, to break the spell of taciturnity, were wont to try sacred magic by administering to the prisoner, on an empty stomach, after invoking the Trinity, three drinks of holy water in which blessed wax had been melted. In one case the most excruciating torture, continued through two whole days, failed to elicit confession, but the third day chanced to be the feast of the Virgin, and during the celebration of the holy rites the devil lost the power with which he had thus far sustained the prisoner, who revealed a plot to make way with the implacable judge, Peter of Berne, by means of sorcery. These were simple devices; a more elaborate one was to take a strip of paper of the length of the body of Christ, and write on it the seven words uttered on the cross; on a holy day, at the hour of mass, this was to be bound around the waist of the witch with relics, she was to be made to drink holy water, and be at once placed on the rack. When all these efforts failed it was a mooted question whether the Church in her extremity could have recourse to the devil by calling in other magicians to break the spell, and Prierias succeeds by ingenious casuistry in proving that she could. One precaution, held indispensable by some experienced practitioners, was that the witch on arrest was to be placed immediately in a basket and thus be carried to prison, without allowing her feet to touch the earth, for if she were permitted to do so she could slay her captors with lightning and escape.*

There was another comfortable theory that those who exercised public functions for the suppression of witchcraft were not subject to the influence of witches or demons. Sprenger tells us that he and his colleagues had been many times assailed by devils in the shape of monkeys, dogs, and goats, but by the aid of God they

* Mall. Maleficar. P. II. Q. i.; P. II. Q. viii.; P. III. Q. xv.—Prieriat. Lib. II. c. 9; Lib. III. c. 3.—Nider Formicar. Lib. V. c. 7.

had always been able to overcome the enemy. Yet there were exceptions to this, as we have seen in the case of the unlucky inquisitor and podestà of Como; and the lenity of some judges was explained by the fact that the witch was sometimes able so to affect their minds that they were unable to convict. This steeled the heart of the conscientious inquisitor, who repressed all sentiments of compassion in the belief that they were prompted by Satan. The witch was specially able to exert this power over her judge when she looked upon him before he saw her, and it was a wise precaution to make her enter the court backwards, so that the judge had the advantage of the first glance. He and his assistants were also advised to be very careful not to let a witch touch them, especially on the wrist or other joint, and to wear around the neck a bag containing salt exorcised on Palm Sunday, with consecrated herbs enclosed in blessed wax, besides constantly protecting themselves with the sign of the cross. It was doubtless through neglect of these salutary precautions that at a witch-burning in the Black Forest, as the executioner was lifting the convict on the pile she blew in his face, saying, "I will reward you," whereupon a horrible leprosy broke out which spread over his body, and in a few days he was dead. Occasionally, moreover, the familiar demon of the witch, in the shape of a raven, would accompany her to the place of execution and prevent the wood from burning until he was driven off.*

To combat an evil so widespread and all-pervading required the combined exertions of Church and State. The secular and episcopal courts both had undoubted jurisdiction over it; the action of John XXII., in 1330, may have caused some question as to the Inquisition, but if so it was settled in 1374, when the Inquisitor of France was proceeding against some sorcerers and his competence was disputed, and Gregory XI., to whom the matter was referred, instructed him to prosecute them with the full severity of the laws. Commissions issued in 1409 and 1418 to Pons Feugeyron, Inquisitor of Provence, enumerate sorcerers, conjurers, and invokers of demons among those whom he is to suppress. As the growth of witchcraft became more alarming, Eugenius

* Mall. Malef. P. II. Q. i.; Q. i. c. 4, 11; P. III. Q. xv.—Prierias. Lib. III. c. 2.—Jahn, Hexenwesen und Zauberei in Pommern, Breslau, 1886, p. 8.

IV., in 1437, stimulated the inquisitors everywhere to greater activity against it, and these instructions were repeated in 1445. In 1451 Nicholas V. even enlarged the powers of Hugues le Noir, Inquisitor of France, by granting him jurisdiction over divination, even when it did not savor of heresy. There was occasional clashing, of course, between the episcopal officials and the inquisitors, but the rule seems to have been generally observed that either could proceed separately, while the Clementine regulation should be observed which prescribed their co-operation in the use of torture and punitive imprisonment and when rendering final sentence. The bishops, moreover, assumed that their assent was necessary to the action of the secular courts. In the case of Guillaume Edeline, condemned to perpetual imprisonment at Evreux in 1453, when the sentence was read by the episcopal official the bishop added "We retain our power of pardon," but the inquisitor at once entered a formal protest that the prisoner should not be released without the consent of the Inquisition.*

Yet in France at this period the royal jurisdiction, as embodied in the Parlement, was, as we have seen in a former chapter, successfully exerting its superiority over both bishops and inquisitors. A curious case occurring in 1460 illustrates both this and the superstitions current at the time. A priest of the diocese of Soissons named Yves Favins brought a suit for tithes against a husbandman named Jean Rogier, who held of the Hospitallers. These, like the Templars, were exempt from tithes; Favins lost his case, was condemned in the expenses, which were heavy, and was eager for revenge. A poor woman of the village who had come from Merville in Hainault, had quarrelled with the wife of Rogier over the price of some spinning, and to her Yves had recourse. She gave him a great toad which she kept in a pot, and told him to baptize it and feed it on a consecrated wafer, which he did, giving it the name of John. The woman then killed it and made of it a "*sorceron*," which her daughter took to Rogier's house under pretence of demanding the money in dispute, and cast it under the table at which Rogier, his wife, and his son were dining. They

* Raynald. ann. 1374, No. 13; ann. 1437, No. 27.—Ripoll II. 566-7; III. 193, 301.—Prieriat. Lib. III. c. 1.—Mall. Maleficar. P. II. Q. i. c. 16; P. III. Q. i.—Anon. Carthus. de Relig. Orig. c. xxvi. (Martene Ampl. Coll. VI. 59).

all died within three days; suspicion was aroused, and the two women were arrested and confessed. The mother was burned, but the daughter obtained a respite on the plea of pregnancy, escaped from jail and fled to Hainault, but was brought back and was carried on appeal to Paris. Yves was rich and well-connected. He was arrested and confined in the prison of the Bishop of Paris, but he obtained counsel and appealed to the Parlement; the Parlement allowed the appeal, tried him, and acquitted him.*

All secular tribunals were not as enlightened as the Parlement of Paris, but there seems to have been at least sometimes an effort to administer even-handed justice. About this time a case occurred at Constance in which an accuser formally inscribed himself against a peasant whom he had met riding on a wolf, and had immediately become crippled. He applied to the peasant, who cured him, but observing that the wizard bewitched others, he felt it his duty to prosecute him. The case was exhaustively argued before the magistrates, for the prosecution and the defence, by two eloquent advocates, Conrad Schatz and Ulric Blaser. Torture was not used, but the accused was condemned and burned on the testimony of witnesses.†

In the ecclesiastical tribunals offenders had not the same chance. We have seen in a former chapter how skilfully the inquisitorial process was framed to secure conviction, and when, after a prolonged period of comparative inactivity, the Inquisition was aroused to renewed exertion in combating the legions of Satan, it sharpened its rusted weapons to a yet keener edge. The old hesitation about pronouncing a sentence of acquittal was no longer entertained, for though the accused might be dismissed with a verdict of not proven, the inquisitor was formally instructed never to declare him innocent. Yet few there were upon whom even this doubtful clemency was exercised, for all the resources of

* Mémoires de Jacques du Clercq, Liv. iv. ch. xxiii.

The constant recurrence of the toad in all the operations of witchcraft opens a suggestive question in zoölogical mythology. Space will not admit its discussion here, but I may mention, as a proof of the antiquity of the superstitions connected with the animal, that in Mazdeism the toad was one of the special creations of Ahriman, and was devoted to his service. It was a toad which he set to destroying the Gokard, or Tree of all plants, and which will always be endeavoring to do so until the resurrection (Bundehesh, ch. xviii.).

† Ulric. Molitoris de Python. Mulierib. c. iv.

fraud and force, of guile and torment, were exhausted to secure conviction with even less reserve than of old. Engaged in a personal combat with Satan, the inquisitor was convinced in advance of the guilt of those brought before him as defamed for sorcery, and the ancient expedients were refined upon and improved. Formerly endurance of torture might be regarded as an evidence of innocence, now it was only an additional proof of guilt, for it showed that Satan was endeavoring to save his servitor, and the duty to defeat him was plain, even though, as Sprenger tells us was frequently the case, the witch would allow herself to be torn in pieces before she would confess. Though, as formerly, torture could not be repeated, it could be "continued" indefinitely, with prolonged periods of intervening imprisonment in dungeons of which the squalor was purposely heightened to exhaust the mental and physical forces of the victim. It is true that confession was not absolutely requisite, for when the evidence was sufficient the accused could be convicted without it, but it was held that common justice required that the criminal should avow his guilt, and therefore the use of torture was universal when confession could not be otherwise secured. Yet in view of the satanic gift of taciturnity it was desirable to avoid recourse to it, and therefore promises of pardon, not indefinitely veiled under a juggle of words as of old, but positive and specifying a moderate penance or exile, were to be freely made. If the fraud was successful, the inquisitor could let the sentence be pronounced by some one else, or allow a decent interval to elapse before himself sending his deluded victim to the stake. All the other devices to entrap or seduce the prisoner to confession which we have seen employed by the older inquisitors were also still recommended. One new and infallible sign was the inability of the witch to shed tears during torture and before the judges, though she could do so freely elsewhere. In such a case the inquisitor was instructed to adjure her to weep by the loving tears shed for the world by Christ on the cross, but the more she was adjured, we are told, the drier she would become. Still, with the usual logic of the demonologist, if she did weep it was a device of the devil and was not to be reckoned in her favor.*

* Prieriat. Lib. III. c. 8.—Mall. Maleficar. P. II. Q. vii., xvi.; P. III. Q. xiii., xiv.

The most significant change, however, between the old procedure and the new regarded the death-penalty. We have seen that with the heretic the object was held to be the salvation of his soul, and, except in case of relapse, he could always purchase life by recantation, at the expense of lifelong imprisonment, with the prospect that in time submission might win him release. At what period the rule changed with respect to witches is uncertain. When convicted by the secular courts they were invariably burned, and the Inquisition came to adopt the same practice. In 1445 the Council of Rouen still treats them with singular mildness. Invokers of demons were to be publicly preached with mitres on their heads, when, if they abjured, the bishop was empowered to release them after performance of appropriate penance; after this, if they relapsed, clerks were to be perpetually imprisoned, and laymen abandoned to the secular arm, while for minor superstitions and incantations a month's prison and fasting were sufficient, with heavier penance for relapse. In 1448 the Council of Lisieux contented itself with ordering priests on all Sundays and festivals to denounce as excommunicate all usurers, sorcerers, and diviners. In 1453 Guillaume Edeline escaped with abjuration and prison. In 1458 Jacnerius laboriously argues that the witch is not to be treated like other heretics, to be spared if she recants, showing that the change was still a novelty, requiring justification. In 1484 Sprenger says positively that while the recanting heretic is to be imprisoned, the sorcerer, even if penitent, is to be put to death, indicating that by this time there was no longer any question on the subject. There was, as usual, a pretence of shifting the responsibility of this upon the secular authorities, for Sprenger adds that the most the ecclesiastical judge can do is to absolve the penitent and converted witch from the *ipso facto* excommunication under which she lies and let her go, to be apprehended by the lay courts and be burned for the evil which she has wrought. Silvester Prierias shows us how transparent was this juggle, when he instructs the inquisitor that if the witch confesses and is penitent she is to be received to mercy and not be delivered to the secular arm: she is to abjure, is absolved and sentenced to perpetual imprisonment in a black dress; the dress is put on her and she is led to the church-door—but not to prison. The Inquisition takes no further concern about her; if the secular court is content, well and good—if

not, it does as it pleases. What the inquisitors would have said if it pleased the secular authorities to let the witch go free may be judged by the maledictions of Sprenger on the incredulous laity who disbelieved in the reality of witchcraft, and through whose supineness the secular arm had allowed the cursed sect to so increase that its extirpation appeared impossible.* Still more instructive, as we shall see hereafter, was the indignation of Leo X. when the Signory of Venice refused to burn the witches of Brescia condemned by the Inquisition.

Equally frivolous was the pretence that the punishment of burning was merely for the injuries wrought by the witch, for we shall see that in the case of the Vaudois of Arras the convicts were burned as a matter of course, although attendance upon the Sabbat was the only crime with which most of the sufferers were charged, and that they were delivered for the purpose by the ecclesiastical court to the magistrates, and even burned without such formality. Besides, Sprenger tells us that in the case of prominent and influential witches the death-penalty was frequently commuted to perpetual imprisonment on bread and water, as a reward for betraying their accomplices, which shows that the fate of the accused in reality rested with the inquisitor. Still, there appears to have been, in at least one case, a simulacrum of judgment by the secular court which I have rarely met where heretics were concerned. November 5, 1474, at Levone, in Piedmont, Francesca Viloni and Antonia d' Alberto were condemned by the acting inquisitor Francesco Chiabaudi. The sentence orders their delivery to the secular arm with a protest that no corporal punishment was thereby indicated, directly or indirectly, although the goods of the convicts were declared confiscated. The same day the assistant inquisitor, Frà Lorenzo Butini, delivered them to the podestà, Bartolomeo Pasquale, with the protest, to protect himself from "irregularity," that he did not intend to indicate for them any corporal punishment or to consent to it. The podestà allowed two days to elapse and then held, November 7, a solemn court to

* Concil. Rotomagens. ann. 1445 c. 6 (Bessin Concil. Rotomagens. I. 184).—C. Lexoviens. ann. 1448 c. 9 (Ibid. II. 482).—Nic. Jaquerii Flagellum Hæret. Fascinar. c. 27.—Mall. Malef. P. I. Q. xiv.; P. II. Q. i. c. 3, 16.—Prieriat. de Strigimag. Lib. III. c. 3.

which the population was summoned by blast of trumpet. The convicts were brought before him, when his *consultore*, or legal adviser, Lorenzo di Front, addressed him to the effect that the women had been condemned by the Inquisition for witchcraft, heresy, and apostasy, and that, according to the laws, he must sentence them to the legal punishment of burning alive, which he incontinently did. It evidently was the merest formality, and possibly, as the death of two of the podestà's children had been attributed to one of the witches, he may have wished to magnify his share in the retribution.*

As of old, practically the sole defence of the accused lay in disabling the witnesses for enmity, and judges were reminded that the enmity must be of the most violent nature, for, with the wonted happy facility of assuming guilt in advance, they were told that there was almost always some enmity involved, since witches were odious to everybody. At the same time all the old methods of reducing this slender chance to a minimum were followed, supplemented with such as additional experience had suggested. The names of the witnesses were generally suppressed, but if they were communicated they were so arranged as to mislead, and in advance effort was made to debar the accused from disabling the most damaging ones by enticing her to deny all knowledge of them or to declare them to be her friends. If she insisted on seeing the evidence, it might be given to her after interpolating in it extraneous matters and accusations to lead her astray.†

Appeals were always to be refused if possible. Outside of France the only one that could be made was to Rome for refusing counsel, for improper torture, and other unjust proceeding; and then, as we have seen, the inquisitor could either refuse "apostoli" or grant either reverential or negative ones. If conscious of injustice and aware that an appeal was coming, he could elude it by appointing some one to sit in his place. The danger of appeals was small, however, for if the accused insisted on having counsel she was not allowed to select him. The inquisitor appointed him; he was bound not to assume the defence if he knew it to be un-

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* Mall. Maleficar. P. II. Q. xiv.—P. Vayra, Le Streghe nel Canavese, op. cit. pp. 218–21, 232.

† Prieriat. Lib. III. c. 3.—Mall. Maleficar. P. III. Q. xii.

just; he was not allowed to know the names of the witnesses, and his functions were restricted to advising his client either to confess or to disable the witnesses. If he made difficulties and delays and interjected appeals he was subject to excommunication as a fautor of heresy, and was worse than the witches themselves—of all of which he was to be duly warned when accepting the case.*

The consequences of neglecting these salutary precautions are seen in two trials in 1474, at Rivara in Piedmont. A number of witches had been burned, and as usual they had implicated others. The matter had been conducted by Francesco Chiabaudi, a canon regular, commissioned by both the Bishop of Turin and Michele de' Valenti, the Inquisitor of Lombardy. Inexperienced and unskilled, he had appointed Tommaso Balardi, parish priest of Rivara, to make the preliminary informations in five fresh accusations. The evidence, as usual, was overwhelming; Balardi arrested the culprits and gave them ten days to show cause why they should not be tortured. At the same time, with incredible ignorance of his duties, he allowed them to select defenders, when they chose their husbands or brothers or sons. In the case of three, these defenders did nothing and the trials were conducted as usual, though the fragmentary documents remaining do not acquaint us with the result. The other two, Guglielmina Ferreri and Margherita Cortina, were more fortunate. They seem to have been rich peasants, and their families retained three able lawyers for their defence. When these were once admitted before the tribunal the prosecution went to pieces. Chiabaudi, unacquainted with the privileges of the inquisitorial process, was wholly unable to control them. He allowed them to enter protests against the initial informations for irregularity, and even permitted them, against all precedent, to introduce witnesses for the defence. They had the audacity to summon Balardi himself, and made him testify that the accused were regular in all religious observances; after which they poured in evidence that the so-called witches were eminently pious and charitable women, and that the rumors against them had only arisen a couple of years before, on the burning of three sisters who were said to have named them in their confessions. Chiabaudi sought refuge in appointing An-

* Mall. Maleficar. P. III. Q. x., xi., xxxv.—Prieriat. Lib. III. c. 3.

tonio Valo, a local legal luminary, as procurator-fiscal, or prosecutor, an official unknown to the Inquisition of the period, whom the counsel for the accused speedily drove out of court. With each bearing they grew more aggressive. They boldly quoted the Digest and the rules of law and justice as though such things had not been expressly prohibited in inquisitorial trials. Finally they told Chiabaudi that he was himself suspect; that as a canon he had no right to leave his convent for such business, and that all his acts were null. The whole prosecution, they said, was merely an attempt to extort money and to divide the plunder of the accused, and they appealed to the episcopal vicar of Turin, with a threat, if necessary, to obtain the intervention of the Duke of Savoy himself. Chiabaudi yielded to the storm which he had imprudently allowed to gather strength, and in February, 1375, he permitted the transfer of the case to the episcopal court of Turin. Whether the unfortunate women fared better there will, doubtless, never be known, but the case shows the wisdom of the precautions adopted by the regular inquisitors of selecting counsel themselves and threatening them with excommunication if they defended their clients. It is interesting, moreover, as probably the only inquisitorial trial on record, save that of Gilles de Rais, in which the forbidden *litis contestatio* was carried out.*

A much more typical and illustrative case, of which we happen to have the details, is that of the "Vaudois,"† or witches of Arras, showing how witchcraft panics were developed and what could be accomplished by inquisitorial methods, even under the supreme jurisdiction of the Parlement of Paris. In 1459, while a general chapter of the Dominican Order was in session at Langres, there chanced to be burned there as a witch a hermit named Robinet de Vaulx. He was forced to name all whom he had seen in the Sabbat, and among them was a young *femme de folle vie* of Douai, named Deniselle, and a resident of Arras, advanced in years, named Jean la Vitte—a painter and poet, who had written many

* P. Vayra, Le Streghe nel Canavese, op. cit. pp. 658–715.

† It will be remembered (Vol. I. p. 158) that by this time in France, Vaudois and Vaudoisie had become the designation of all deviations from faith, and was especially applied to sorcery. Hence is derived the word Voodooism, descriptive of the negro sorcery of the French colonies, transmitted to the United States through Louisiana.

beautiful ballads in honor of the Virgin, and who was a general favorite, though, as he was popularly known as the Abbé-de-peu-de-sens, he was probably not a very sedate character.* Pierre le Brousart, the Inquisitor of Arras, was present at the chapter, and on his return he lost no time in looking after the accused. Deniselle was soon arrested and thrown into the episcopal prison; Jean, Bishop of Arras, whom we have seen promoted to the cardinalate for his services in procuring the repeal of the Pragmatic Sanction, was then in Rome; his suffragan was a Dominican, Jean, titular Bishop of Beirut, formerly a papal penitentiary, and his vicars were Pierre du Hamel, Jean Thibault, Jean Pochon, and Mathieu du Hamel. These took up the matter warmly and were earnestly supported by Jacques du Boys, a doctor of laws and dean of the chapter, who thrust himself into the affair and pushed it with relentless vigor. After repeated torture, Deniselle confessed to have attended the Sabbat and named various persons seen there, among them Jean la Vitte. He had already been compromised by Robinet, and had gone into hiding, but the inquisitor hunted him up at Abbeville, arrested him, and brought him to Arras, when he was no sooner in prison than in despair he tried to cut out his tongue with a pocket-knife, so as to prevent himself from confessing. He did not succeed, but though he was long unable to speak, this did not save him from torture, for he could use the pen and was obliged to write out his confession. Forced to name all whom he had seen in the Sabbat, he implicated a large number, including nobles, ecclesiastics, and common folk. Six more arrests were made among the latter, including several women of the town; the affair threatened to spread farther than had at first been expected; the vicars grew timid and concluded to dis-

* There was some debate whether the evidence of a witch as to those whom she had seen in the Sabbat was to be received, but it was settled in favor of the faith by the unanswerable argument that otherwise the principal means of detecting witches would be lost. If the accused alleged that the devil had caused an apparition resembling him to be present, he was to be required to prove the fact, which was not easy (Jaquerii Flagell. Hæret. Fasciuar. c. 26).—Bernardo di Como (de Strigiis, c. 13, 14) says that the mere accusation of being seen in the Sabbat is not sufficient to justify arrest, as the individual may be personated by a demon, but it has to be reinforced by "conjectures and presumptions," which, of course, were never lacking.

charge all the prisoners. Then Jacques du Boys and the Bishop of Beirut constituted themselves formal complainants; the latter, moreover, went to Péronne and brought to Arras the Comte d'Estampes, Captain-general of Picardy for Philippe le Bon of Burgundy, who ordered the vicars to do their duty under threats of prosecuting them.

Four women of the last batch of prisoners confessed under torture and implicated a large number of others. The vicars, uncertain as to their duty, sent the confessions to two notable clerks, Gilles Carlier, dean, and Gregoire Nicolai, official, of Cambrai, who replied that if the accused were not relapsed and if they would recant they were not to be put to death, provided they had not committed murder and abused the Eucharist. Here we recognize a transition period between the old practice with heretics and the new with sorcerers, but du Boys and the Bishop of Beirut were fully imbued with the new notions, and insisted that all should be burned. They declared that whoever disputed this was himself a sorcerer, that any one who should presume to aid or counsel the prisoners should share their fate. The welfare of Christendom was concerned, a full third of nominal Christians were secretly sorcerers, including many bishops, cardinals, and grand masters, and that if they could assemble under a leader it would be difficult to estimate the destruction which they could inflict on religion and society. Possibly one of these worthies may be credited with the authorship of a tract upon the subject, a copy of which, formerly belonging to Philippe le Bon, is now in the Royal Library of Brussels. The anonymous writer, who describes himself as a priest, speaks of "Vauderie" as something new and unheard of, more execrable than all the detestable errors of paganism since the beginning of the world. He calls on the prelates to arise and purge Christendom of these abominable sectaries, and to excite the people by denouncing their most damnable crimes, but his most burning eloquence is addressed to the princes. Not without significance is the sword borne before them, for it is to remind them that they are ministers and officers of God, whose duty it is to order unsparing vengeance on these criminals. If the sectaries are allowed to multiply the most fearful results are to be expected, and the King of Darkness is already rejoicing at the prospect. Wars and enmities will come; strife

and sedition will rage in the fields, in the cities, and in the kingdoms. In mutual slaughter men will fall dead in heaps. Children will rise against their elders and the villeins will assail the nobles. It was not only religion, but the whole social order, which was threatened by a few strumpets and the Abbé-de-peu-de-sens.*

Like the agent of Conrad Tors in the days of Conrad of Marburg, the Bishop of Beirut boasted that he could recognize a Vaudois or sorcerer at sight. In conjunction with du Boys he procured another arrest, and induced the Comte d'Estampes to order the vicars to hasten their proceedings. Under this pressure, an assembly of all the principal ecclesiastics of Arras, with some jurists, was held on May 9, 1460, to consider the evidence. The deliberation was short, and the accused were condemned. The next day, on a scaffold in front of the episcopal palace, and in presence of a crowd which had gathered from twelve leagues around, the convicts were brought forward, together with the body of one of them, Jean le Febvre, who had been found hanging in his cell. Mitres were placed on their heads, with pictures representing them as worshipping the devil. The inquisitor preached the sermon, and read the description of the Sabbat and of their visits to it, and then asked them individually if it was true, to which they all assented. Then he read the sentence abandoning them to the secular arm, their property to be confiscated, the real estate to the seigneur and the movables to the bishop, and they were delivered to their several jurisdictions, Deniselle being handed over to the authorities of Douai who were present to receive her, and the rest to those of Arras. At once they began with shrieks to assert that they had been cruelly deceived—that they had been promised that if they would confess they would be discharged with a pilgrimage of ten or twelve leagues, and had been threatened with burning for persistence in denial. With one voice they declared that they had never been to the "Vauderie," that their confessions had been extorted under stress of torture and false promises and blandishments, and until they were silenced by the flames they begged the people to pray for them, and their friends to have masses sung in their behalf. The last words heard from

* MSS. Bib. Roy. de Bruxelles, No. 11209.

the Abbé-de-peu-de-sens, were "*Jesus autem transiens per medium illorum.*" Gilles Flameng, an advocate who had been active in the whole proceeding, was the especial object of their reproaches; they reviled him as a traitor who had been particularly earnest in the false promises which had lured them to destruction.

Appetite grew by what it fed on. This execution was followed immediately by the arrest, on the requisition of the inquisitor, of thirteen persons, including six public women, who had been implicated by the confessions. The managers of the business, however, seemed to tire of the pursuit of such worthless game, and grew bold enough to strike higher. On June 22 Arras was startled by the arrest of Jean Tacquet, an eschevin and one of the richest citizens; on the next day by that of Pierre des Carieulx, equally wealthy and esteemed the best accountant in Artois; and on the next by that of the Chevalier Payen de Beauffort, a septuagenary and the head of one of the most ancient and richest houses in the province, who had manifested his piety by founding three convents. He had been warned that his name was on the list of accused, but had declared that if he were a thousand leagues away he would return to meet the charge, and in fact he had come to the city for the purpose. In his hôtel of la Chevrette his children and friends had entreated him to depart if he felt himself guilty, when with the most solemn oaths he asserted his innocence. His arrest had not been ventured upon without the consent of Philippe le Bon, secured by Philippe de Saveuse; the Comte d'Estampes had come to Arras to insure it, and refused to see him when he begged an interview. This was followed, July 7, by an *auto de fé* of seven of those arrested on May 9; five of these were burned, and, like their predecessors, asserted that their confessions had been wrung from them by torture, and died begging the prayers of all good Christians. Two were sentenced to imprisonment for definite terms, the reason alleged being that they had not revoked after their first confession—a highly irregular proceeding of which the object was to facilitate further convictions.

The affair was now beginning to attract general attention and animadversion. Philippe le Bon was disturbed, for he heard that at Paris and elsewhere it was reported that he was seizing the rich men of his dominions to confiscate their property. Accord-

ingly he sent to Arras, as supervisors, his confessor, a Dominican and titular Bishop of Selimbria, together with the Chevalier Baudoin de Noyelles, Governor of Péronne, while the Comte d'Estampes deputed his secretary, Jean Forme, together with Philippe de Saveuse, the Seigneur de Crèvecœur, who was bailly of Amiens, and his lieutenant, Guillaume de Berri. The first effort of these new-comers seems to have been to share in the spoils. On July 16 Baudoin de Noyelles arrested Antoine Sacquespée, an eschevin and one of the richest of the citizens, who had been urged to fly, but who, like de Beauffort, had declared that he would come a thousand leagues to face the accusation. The next day another eschevin, Jean Josset, was seized, and a sergent-de-ville named Henriet Royville, while three whose arrest was pending fled, two of them being wealthy men, Martin Cornille, and Willaume le Febvre, whom the Comte d'Estampes pursued as far as Paris without success. A panic terror by this time pervaded the community; no one knew when his turn would come, and men scarce dared to leave the city for fear they would be accused of flying through conscious guilt, while citizens who were absent were unwelcome guests everywhere, and could scarce find lodgings. Similarly, strangers would not venture to visit the city. Arras was a prosperous seat of manufactures, and its industries suffered enormously. Its merchants lost their credit; creditors importunately demanded settlement, for the risk of confiscation hung over every man, and we have seen how the rights of creditors in such cases were extinguished. The vicars endeavored to soothe the general alarm and distress by a proclamation that no one need fear arrest who was innocent, for none were arrested unless eight or ten witnesses swore to seeing them at the Sabbat—though it was afterwards found that many were seized on the evidence of only one or two.

At length, at the expense of the prisoners, the inquisitor, with the vicars and Gilles Flameng, was sent to the Duke of Burgundy at Brussels, to lay before him the evidence of the trials. The duke called a great assembly of clerks, including the doctors of Louvain, who gravely debated the matter. Some held, with the *Cap. Episcopi*, that it was all a delusion, others that it was a reality. No conclusion was reached, and the duke finally sent his herald, Toison d'Or (Lefebvre, Seigneur de Saint-Remy) in whom he had

great confidence, back with the vicars, to be present at all examinations. They reached Arras August 14, after which there were no further arrests, although innumerable names were on the lists of accused. The prisoners were less inhumanly treated, and but four of the pending trials were pushed to a conclusion. Reports of these were sent to Brussels for the duke's consideration, and they were brought back, October 12, by the president of the ducal chamber, Adrien Collin, in whose presence the accused were again examined. Finally, on October 22, the customary assembly was held, immediately followed by the *auto de fé*, where the sermon was preached by the Inquisitor of Cambrai, and the sentences were read by the Inquisitor of Arras, and by Michael du Hamel, one of the vicars. The four convicts had different fates.

The Chevalier de Beauffort, it was recited, had confessed that he had thrice been to the Sabbat—twice on foot and once by flying on an anointed staff. He had refused to give his soul to Satan, but had given him four of his hairs. The inquisitor asked him if this was true, and he replied in the affirmative, begging for mercy. The inquisitor then announced that, as he had confessed without torture, and had never retracted, he should not be mitred and burned but be scourged (a penance inflicted by the inquisitor on the spot, but without removing the penitent's clothes), be imprisoned for seven years, and pay a long list of fines for pious purposes, amounting in all to eight thousand two hundred livres, including one thousand five hundred to the Inquisition. But besides these fines, thus publicly announced, he was obliged to pay four thousand to the Duke of Burgundy, two thousand to the Comte d'Estampes, one thousand to the Seigneur de Crèvecœur, and one hundred to his lieutenant, Guillaume de Berry.*

The next was the rich eschevin, Jean Tacquet. He admitted that he had been to the Sabbat ten times or more. He had endeavored to withdraw his allegiance from Satan, who had forced him to continue it by beating him cruelly with a bull's pizzle. He was now condemned to scourging, administered as in the case of

* This was, doubtless, in commutation for confiscation, and reveals the object of the whole affair. To estimate the magnitude of the fines, it may be mentioned that de Beauffort's annual revenue was estimated at five hundred livres. The richest citizens of Arras who were arrested were said to be worth from four hundred to five hundred livres a year.

de Beauffort, to ten years' prison, and to fines amounting to one thousand four hundred livres, of which two hundred went to the Inquisition; but, as in de Beauffort's case, there were secret contributions exacted from him.

The third was Pierre du Carieulx, another rich citizen. His sentence recited that he had been to the Sabbat innumerable times; holding a lighted candle he had kissed, under the tail, the devil in the shape of a monkey; he had given him his soul in a compact written with his own blood; he had thrice given to the Abbé-de-peu-de-sens consecrated wafers received at Easter, out of which, with the bones of men hanged, which he had picked up under the gallows, and the blood of young children, of whom he had slain four, he had helped to make the infernal ointment and certain powders, with which they injured men and beasts. When asked to confirm this he denied it, saying that it had been forced from him by torture; and he would have added much more, but he was silenced. Abandoned to secular justice, the eschevins demanded him as their bourgeois, and on their paying his prison expenses he was delivered to them. They allowed him to talk in the town-hall, when he disculpated all whom he had accused, of whom he said there were many present, eschevins and others, adding that, under torture, he had accused every one he knew, and if he had known more he would have included them. He was burned the same day.

The fourth was Huguet Aubry, a man of uncommon force and resolution. In spite of the severest and most prolonged torture, he had confessed nothing. He had been accused by nine witnesses, and he was now asked if he would confess under promise of mercy; but he repeated that he knew nothing of Vauderie, and had never been to the Sabbat. Then the inquisitor told him that he had broken jail and been recaptured, which rendered him guilty. He threw himself on his knees and begged for mercy, but was condemned to prison, on bread and water, for twenty years; a most irregular sentence, which could never have been rendered under the perfected system of procedure, for the evidence against him was strong, and his constancy under torture only proved that Satan had endowed him with the gift of taciturnity.

This was the last of the persecution. There had been only thirty-four arrests and twelve burnings; which, in the flourishing

times of witchcraft, would have been a trifle, but the novelty of the occurrence in Picardy, the character of the victims, and the subsequent proceedings in the Parlement attracted to it a disproportionate attention. That it came to so early a termination is possibly attributable to the fact that Philippe de Saveuse had directed the torture of the women not only to convict de Beaufort, but to incriminate the Seigneurs de Croy and others, from avaricious and perhaps political motives. The de Croy were at this time all-powerful at the ducal court, and doubtless used their interest to arrest the ecclesiastical machinery which was strong enough to crush even them. It has every appearance of a repetition of the old story of Conrad of Marburg.

Whatever the cause, the inquisitor and the vicars now put a stop to the prosecutions, without calling in the Bishop of Beirut, Jacques du Boys, de Saveuse, and others, who urged them to proceed with the good work. In vain the latter talked of the imminent dangers impending over Christendom from the innumerable multitude of sorcerers, many of whom held high station in the Church and in the courts of princes. Vainly even the last card was played, and the superstitious were frightened by rumors that Antichrist was born, and that the sorcerers would support him.*

One by one the accused were discharged, as they were able to raise money to pay the expenses of their prison and of the Inquisition, which was a condition of liberation in all cases except those of utter poverty. Some had to undergo the formality of purging themselves with compurgators. Antoine Sacquespée, for instance,

* The belief in the imminent advent of Antichrist was as strong in the fifteenth century as in its predecessors. In 1445 the University of Paris was astonished by a young Spaniard, about twenty years of age, who came there and overcame the most learned schoolmen and theologians in disputation. He appeared equally at home in all branches of learning, including medicine and law; he was matchless with the sword, and played ravishingly on all instruments of music. After confounding Paris, he went to the Duke of Burgundy, at Ghent, and thence passed into Germany. The doctors of the University pondered over the apparition, and finally concluded that he was Antichrist, who, it was well known, would possess all arts and sciences by the secret aid of Satan, and would be a good Christian until he attained the age of twenty-eight (Chron. de Mathieu de Coussy, ch. VIII.). The wonderful stranger was Fernando de Cordoba, who settled in the papal court, and wrote several books, which have been forgotten. See Nich. Anton. Biblioth. Hispan. Lib. x. cap. xiii. No. 734–9.

who had been tortured without confession, had to furnish seven, and was not allowed to escape without surrendering a portion of his substance. Others had light penance, like Jennon d'Amiens, a woman who had confessed after being several times tortured, and was now only required to make a five-league pilgrimage to Nôtre Dame d'Esquerchin. This was an admission that the whole affair was a fraud; and even more remarkable was the case of a *fille de joie* named Belotte, who had been repeatedly tortured, and had confessed. She would have been burned with the other women on May 9, but it happened, accidentally or otherwise, that her mitre was not ready, and her execution was postponed, and now she was only banished from the diocese, and ordered to make a pilgrimage to Nôtre Dame de Boulogne. Of the whole number arrested nine had the constancy to endure torture—in most cases long and severe—without confession.

As the terror passed away the feelings of the people expressed themselves sportively in some verses scattered through the streets, lampooning the principal actors in the tragedy. The stanza devoted to Pierre le Brousart runs thus:

"Then the inquisitor, with his white hood,
His shining nose and his repulsive mazzard,
Among the foremost in the game has stood
To torture these poor folk as witch or wizard.
But he knows only what he has been told,
For his sole thought throughout has been to hold
And keep their goods and chattels at all hazard.
But he has failed in this, and been cajoled."

The vicars and their advocates and the assembly of experts are all held guilty, and the verses conclude by threatening them:

"But you shall all be punished in a mass,
And we shall learn who caused the wondrous tale
Of Vaudois in our city of Arras."*

* The Chronicler of Arras tells us that at this time there was no enforcement of the laws in Arras; every one did as he pleased, and no one was punished but the friendless. His statement is borne out by the cases of homicide and other crimes which he relates, and of which no notice was taken (Mém. de Jacques du Clercq, Liv. IV. ch. 22, 24, 40, 41). Yet vigorous search was made for the author of this pasquinade, and Jacotin Maupetit was arrested by an usher-at-arms of the duke on the charge of writing it. He adroitly slipped out of his doublet, and sought asylum in three successive churches, finally succeeding in getting to Paris,

The prophecy was not wholly unverified. Fortunately there was in France a Parlement which had succeeded in establishing its jurisdiction over both the great vassals and the Inquisition, and the relations between the courts of Paris and Brussels were such as to render it nothing loath to interfere. De Beauffort, before his examination, had made an appeal to this supreme tribunal, which had been disregarded and suppressed, but his son Philippe had carried to Paris the tale of the wrongs committed on his father. The Parlement moved slowly, but on January 16, 1461, Philippe came back with an usher commissioned to bring de Beauffort before it after investigating the case. This official took testimony, and on the 25th, accompanied by de Beauffort's four sons and thirty well-armed men, he presented himself before the vicars. Frightened by this formidable demonstration, they refused to see him; but he went to the episcopal palace, took the keys of the prison by force, and carried de Beauffort to the Conciergerie in Paris, after serving notice on the vicars to answer before the Parlement on February 25. The matter was now fairly in train for a legal investigation in which both sides could be heard. The convicts who had been condemned to imprisonment were set at liberty and carried to Paris, where their evidence confirmed that of de Beauffort. The conspirators were grievously alarmed. Jacques du Boys, the dean, who had been the prime mover, became insane about the time set for the hearing; and though he recovered his senses, his limbs failed him; he took to his bed, where bed-sores ate great holes in his flesh, and he died in about a year, some persons attributing to sorcery and others to divine vengeance what evidently was mental trouble, causing temporary insanity followed by paresis. The Bishop of Beirut was thrown in prison, charged with having set the affair on foot, but he managed to escape, by miracle as he asserted; he made a pilgrimage to Compostella, and on his return secured the position of confessor to Queen Marie, dowager of Charles VII., where he was safe. Other conspicuous actors in the tragedy left Arras to escape the hatred of their fellow-citizens. Meanwhile the legal proceedings

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where he constituted himself a prisoner of the Parlement, and returned to Arras free, to find that, meanwhile, his property had been confiscated and sold. (Ibid. ch. 24.)

dragged on with the interminable delays for which the Parlement was notorious, enhanced on this occasion by the political vicissitudes of the period, and the final decision was not rendered until 1491, thirty years after its commencement, when all the sufferers had passed off the scene except the indomitable Huguet Aubry, who was still alive to enjoy a rehabilitation celebrated in a manner as imposing as possible. On July 18 the decree was published from a scaffold erected on the spot where the sentences had been pronounced. The magistrates had been ordered to proclaim a holiday, and to offer prizes for the best *folie moralisée* and *pure folie*, and to send notice to all the neighboring towns, so that a crowd of eight or nine thousand persons was collected. After a sermon of two hours and a half, preached by the celebrated Geoffroi Broussart, subsequently chancellor of the University, the decree was read, condemning the Duke of Burgundy to pay the costs, and the processes and sentences to be torn and destroyed as unjust and abusive; ordering the accused and condemned to be restored to their good name and fame, all confiscations and payments to be refunded, while the vicars were to pay twelve hundred livres each, Gilles Flameng one thousand, de Saveuse five hundred, and others smaller sums, amounting in all to six thousand five hundred; out of which fifteen hundred were to be applied to founding a daily mass for the souls of those executed, and erecting a cross on the spot where they had been burned. The cruel and unusual tortures made use of in the trials were, moreover, prohibited for the future in all secular and ecclesiastical tribunals. It was probably the only case on record in which an inquisitor stood as a defendant in a lay court to answer for his official action. One cannot help reflecting that, if the Council of Vienne had done its duty as fearlessly as the Parlement, the affair of the Templars, so similar in many of its features, might have had a similar termination; and the contrast between this and the rehabilitation proceedings in the case of Joan of Arc shows how the Inquisition had fallen during the interval.*

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* The details of this case have, fortunately, been preserved for us in the Mémoires de Jacques du Clercq, Livre IV., with the decree of Parlement in the appendix. Mathieu de Coussy (Chronique ch. 129) and Cornelius Zantfliet (Martene, Ampl. Coll. V. 501) also give brief accounts. Some details omitted by

Besides the general significance of this transaction in the history of witchcraft and of its persecution, there are several points worthy of attention in their bearing on the practical application of the methods of procedure described above. In the first place, it is evident throughout that no counsel were allowed to the accused. Then, the combined episcopal and inquisitorial court permitted no appeals, even to the Parlement, whose supreme jurisdiction was unquestioned. Not only was the attempt of de Beauffort to interject such an appeal contemptuously suppressed, but when Willaume le Febvre, who had fled to Paris and constituted himself a prisoner there to answer all charges, sent his son Willemet with a notary to serve an appeal, the service was rightly regarded as involving considerable risk. After watching their opportunity, Willemet and the notary served the notice on one of the vicars at church, then leaped on their horses and made all speed for Paris, but the vicars instantly despatched well-mounted horsemen, who overtook them at Montdidier and brought them back. They were clapped in jail, along with a number of friends and kinsmen who had been privy to their intention without betraying it, and were not released until they agreed to withdraw the appeal. Thus, an appeal was treated as an offence justifying vigorous measures. It is more difficult to understand the contemptuous indifference with which a papal bull was treated. Martin Cornille, the other fugitive, had pursued a different policy. He carried with him an ample store of money, part of which he invested in a bull from Pius II. transferring the whole matter to Gilles Charlier and Grégoire Nicolai of Cambrai, and two of the Arras vicars. This was brought to Arras in August, 1460, by the Dean of Soignies, after which we hear nothing more of it, though it may have contributed to cool the ardor of those who were expecting to profit by the prosecutions.*

The means employed to obtain confession show that Sprenger only recorded the usage of the period in advising recourse to whatever fraud or force might prove necessary. Promises of immunity

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du Clercq are to be found in the learned sketch of Duverger, "La Vauderie dans les États de Philippe le Bon," Arras, 1885, which, it is to be hoped, will be followed by the more elaborate work promised by the author.

* Du Clercq, Liv. iv. ch. 10, 11.

or of trifling penance were lavished on those whom it was intended to burn if they yielded to the blandishment, and these were supplemented with threats of burning as the punishment of taciturnity. De Beauffort's confession without torture excited general astonishment until it was known that, on his arrest, after he had sworn to his innocence, Jacques du Boys entreated him to confess, even kneeling before him and praying him to do so, assuring him that if he refused he could not be saved from the stake, and that all his property would be confiscated, to the beggaring of his children, while, if he would confess, he should be released within four days without public humiliation or exposure; and when de Beauffort argued that this would be committing perjury, du Boys told him not to mind that, as he should have absolution. Those whose constancy was proof against such persuasiveness were tortured without stint or mercy. The women were frightfully scourged. Huguet Aubry was kept in prison for eleven months, during which, at intervals, he was tortured fifteen times, and when the ingenuity of the executioners failed in devising more exquisite forms of torment, he was threatened with drowning and thrown into the river, and then with hanging and suspended from a tree with his eyes duly bandaged. Le petit Henriot's resolution was tried with seven months' incarceration, during which he was also tortured fifteen times, fire being applied to the soles of his feet until he was crippled for life. Others are mentioned whose endurance was equally tried, and we hear of such strange devices as pouring oil and vinegar down the throat, and other expedients not recognized by law.*

With regard to the death-penalty, it is to be observed that none of these were cases of relapse, and under the old inquisitorial practice they would all have been entitled to the penance of imprisonment. Their burning had not even the pretext of being punishment for injuries inflicted on their neighbors, for, with the exception of Pierre du Carieulx, the only offence assigned to them was attendance at the Sabbat. At the same time there was no resort to the juggle suggested by later authorities, of assigning penance, and then not inquiring what the secular power might see fit to do. The condemned were formally delivered to the

* Du Clercq, Liv. IV. ch. 14, 15, 28; Append. II.

magistrates to be burned, and though at the first *auto* a death-sentence was pronounced by the eschevins, at the second even this formality was omitted, and the victims were dragged directly from the place of sentence to that of execution.*

One specially notable feature of the whole affair was the utter incredulity everywhere excited. Just as the crimes imputed to the Templars found credence nowhere out of France, so, outside of Arras, we are told not one person in a thousand believed in the truth of the charges. This was fortunate, for the victims naturally included in their lists of associates many residents of other places, and the conflagration might readily have spread over the whole country, had it found agents like Pierre le Brousart, who carried the spark from Langres to Arras. On the strength of revelations in the confessions several persons were arrested in Amiens, but the bishop, who was a learned clerk and had long resided in Rome, promptly released them and declared that he would dismiss all brought before him, for he did not believe in the possibility of such offences. At Tournay others were seized, and the matter was warmly debated, with the result that they were set free, although Jean Taincture, a most notable clerk, wrote an elaborate treatise to prove their guilt. It was the same with the accused who managed to fly. Martin Cornille was caught in Burgundy and brought before the Archbishop of Besançon, who acquitted him on the strength of informations made in Arras. Willaume le Febvre surrendered himself to the Bishop of Paris; the Inquisitor of Paris came to Arras to get the evidence concerning him, and the vicars furnished the confessions of those who had implicated him. The result was that the tribunal, consisting of the Archbishop of Reims, the Bishop of Paris, the Inquisitor of France, and sundry doctors of theology, not only acquitted him, but authorized him to prosecute the vicars for reparation of his honor, and for expenses and damages.† Evidently up to this time the excitement con-

* Du Clercq, Liv. iv. ch. 4, 8.

† Du Clercq, Liv. iv. ch. 6, 11, 14, 28.—A copy of Jean Taincture's tract is in the Bib. Roy. de Bruxelles, MSS. No. 2296.—About this time Jeannin, a peasant of Inchy, was executed at Cambrai, and at Lille Catharine Patée was condemned as a witch, but escaped with banishment, and the same was the case with Marguerite d'Escornay at Nivelles. One unfortunate, Noel Ferri of Amiens, became insane on the subject, and after wandering over the land, accused himself at

cerning witchcraft was to a great extent artificial—the creation of a comparatively few credulous ecclesiastics and judges: the mass of educated clerks and jurists were disposed to hold fast to the definition of the *Cap. Episcopi*, and to regard it as a delusion. Had the Church resolutely repressed the growing superstition, in place of stimulating it with all the authority of the Holy See, infinite bloodshed and misery might have been spared to Christendom.

The development of the witchcraft epidemic, in fact, had not been rapid. The earliest detailed account which we have of it is that of Nider, in his *Formicarius*, written in 1337. Although Nider himself seems to have sometimes acted as inquisitor, he tells us that his information is principally derived from the experience of Peter of Berne, a secular judge, who had burned large numbers of witches of both sexes, and had driven many more from the Bernese territory, which they had infested for about sixty years. This would place the origin of witchcraft in that region towards the close of the fourteenth century, and Silvester Prierias, as we have seen, attributes it to the first years of the fifteenth. Bernardo di Como, writing about 1510, assigns to it a somewhat earlier origin, for he says the records of the Inquisition of Como showed that it had existed for a hundred and fifty years. It is quite likely, indeed, that the gradual development of witchcraft from ordinary sorcery commenced about the middle of the fourteenth century. The great jurist Bartolo, who died in 1357, when acting as judge at Novara, tried and condemned a woman who confessed to having adored the devil, trampled on the cross, and killed children by touching and fascinating them. This approach to the later witchcraft was so novel to him that he appealed to the theologians to explain it. In this there seems no reference to the distinctive feature of the Sabbat, but the popular beliefs concerning Holda and Dame Habonde and their troop were rife, and the coalescence of the various superstitions was only a question of time. As early as 1353 an allusion to the witches' dance occurs in a trial at Toulouse. Thus the stories grew, under the skilful handling of such

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Mautes of belonging to the accursed sect. He was burned August 26, 1460. His wife, whom he had implicated, escaped sharing his fate by an appeal to the Parlement.—Duverger, La Vauderie dans les États de Philippe le Bon, pp. 52–3, 84.

judges as Peter of Berne, until they assumed the detailed and definite shape that we find in Nider. The latter also acknowledges his obligation to the Inquisitor of Autun, which would indicate that witchcraft was prevalent in Burgundy at a comparatively early period. In 1424 we hear of a witch named Finicella burned in Rome for causing the death of many persons and bewitching many more. According to Peter of Berne, the evil originated with a certain Scavius, who openly boasted of his powers, and always escaped by transforming himself into a mouse, until he was assassinated through a window near which he incautiously sat. His principal disciple was Poppo, who taught Staedelin; the latter fell into the hands of Peter, and, after four vigorous applications of torture, confessed all the secrets of the diabolical sect. The details given are virtually those described above, showing that the subsequent inquisitors who drew their inspiration from Nider were skilled in their work and knew how to extract confessions in accordance with their preconceived notions. There are a few unimportant variants, of course; infants, as already stated, when killed, were boiled down, the soup being used to procure converts by its magic power, while the solid portion was worked up into ointment required for the unholy rites. Apparently, moreover, the theory had not yet established itself that the witch was powerless against officers of public justice, for the latter were held to incur great dangers in the performance of their functions. It was only by the most careful observance of religious duties and the constant use of the sign of the cross that Peter of Berne escaped, and even he once, at the castle of Blankenburg, nearly lost his life when, going up a lofty staircase at night in such haste that he forgot to cross himself, he was precipitated violently to the bottom—manifestly the effect of sorcery, as he subsequently learned by torturing a prisoner.*

Although, in 1452, a witch tried at Provins declared that in all France and Burgundy the total number of witches did not exceed

* Nider Formicar. Lib. v. c. 3, 4, 7.—Grimm's Teutonic Mythol. III. 1066.—Soldan, Geschichte der Hexenprocesse, Stuttgart, 1843, p. 186.—Bernardi Comensis de Strigiis c. 4.—Steph. Infessuræ Diar. Urb. Romæ ann. 1424 (Eccard. Corp. Hist. II. 1874–5).

Peter of Berne's efforts to purify his territory were fruitless, for we hear of witches burned in 1482 at Murten, Canton Berne (Valerius Anshelm, Berner-Chronik, Bern, 1884, I. 224).

sixty, no believer contented himself with figures so moderate. In 1453 we hear of an epidemic of witchcraft in Normandy, where the witches were popularly known as Scobaces, from *scoba*, a broom, in allusion to their favorite mode of equitation to the Sabbat. The same year occurred the case of Guillaume Edeline, which excited wide astonishment from the character of the culprit, who was a noted doctor of theology and Prior of St. Germain-en-Laye. Madly in love with a noble lady, he sought the aid of sorcery. He doubtless fell victim to some sharper, for on his person was found a compact with Satan, formally drawn up with reciprocal obligations, one of which was that in his sermons he should assert the falsity of the stories told of sorcerers, and this, we are told, greatly increased their number, for the judges were restrained from prosecuting them. Another condition was that he should present himself before Satan whenever required. The methods of his examination must have been sharp, for he confessed that he performed this obligation by striding a broomstick, when he would be at once transported to the Sabbat, where he performed the customary homage of kissing the devil, in the form of a white sheep, under the tail. Prosecuted before Guillaume de Floques, Bishop of Evreux, he persuaded the University of Caen to defend him; but the bishop procuring the support of the University of Paris, he was forced to confess and was convicted. It shows the uncertainty of procedure as yet that he was not burned, but was allowed to abjure, and was penanced with perpetual imprisoument on bread and water. At the *auto de fé* the inquisitor dwelt upon his former high position and the edification of his teaching, when the unfortunate man burst into tears and begged mercy of God. He was thrown into a *basse-fosse* at Evreux, where he lingered for four years, showing every sign of contrition, and at last he was found dead in his cell in the attitude of prayer. The epidemic was spreading, for in 1446 several witches were burned in Heidelberg by the inquisitor, and in 1447 another, who passed as their teacher; but there was as yet no uniform practice in such cases, for in this same year, 1447, at Braunsberg, a woman convicted of sorcery was only banished to a distance of two (German) miles, and three securities were required for her in the sum of ten marks.*

* Duverger, La Vauderie dans les États de Philippe le Bon, p. 22.—Anon.

It was probably about this time that the inquisitors of Toulouse were busy with burning the numerous witches of Dauphiné and Gascony, as related by Alonso de Spina, who admired on the walls of the Toulousan Inquisition pictures painted from their confessions, representing the Sabbat, with the votaries adoring, with lighted candles, Satan in the form of a goat. The allusions of Bernardo di Como show that at the same period persecution was busy in Como. In 1456 we hear of two burned at Cologne. They had caused a frost so intense in the month of May that all vegetation was blasted, without hope of recovery. The steward of the archbishop asked one of them to give him an example of her art, when she took a cup of water, and muttering spells over it for the space of a couple of Paternosters, it froze so solidly that the ice could not be broken with a dagger. In this case, at least, the hand of justice had not weakened her power, though why she allowed herself to be burned is not recorded. In 1459 Pius II. called the attention of the Abbot of Tréguier to somewhat similar practices in Britanny, and gave him papal authority for their suppression, showing how vain had been the zeal of Duke Artus III., of whom, at his death in 1457, it was eulogistically declared that he had burned more sorcerers in France, Britanny, and Poitou than any man of his time.*

These incidents will show the growth and spread of the belief throughout Europe, and it must be borne in mind that they are but the indications of much that never attracted public attention or came to be recorded in history. A chance allusion, in a pleading of 1455, shows what was working under the surface in probably every corner of Christendom. In the parish of Torey (Normandy) there had been for forty years a belief that a family of laborers—Huguenin de la Meu and his dead father before him, and Jeanne his wife—were all sorcerers who killed or sickened many men and beasts. An appeal to the Inquisition would doubtless have ex-

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Carthus. de Relig. Orig. c. 25–6 (Martene Ampl. Coll. VI. 57–9).—Jean Chartier, Hist. de Charles VII. ann. 1453.—Mémoires de Jacques du Clercq, Liv. III. ch. 11.—D'Argentré, I. II. 251.—Soldan, Gesch. der Hexenprocesse, p. 198.—Lilienthal, Die Hexenprocesse der beiden Städte Braunsberg, p. 70.

* Alonso de Spina, Fortalic. Fidei, fol. 284.—Bernardi Comens. de Strigiis c. 3.—Chron. Cornel. Zantfliet, ann. 1456 (Martene Ampl. Coll. V. 491).—Raynald. ann. 1459, No. 30.—Guill. Gruel, Chroniques d'Artus III. (Ed. Buchon, p. 405).

tracted from them confessions of the Sabbat and devil-worship, with lists of accomplices leading to a widespread epidemic, but the simple peasants found a speedier remedy in beating Huguenin and his wife, when the person or animal whom they had bewitched would recover. A certain André suspected them of causing the death of some of his cattle, and Jeanne said to his wife, Alayre, "Your husband has done ill in saying that I killed his cattle, and he will find it so before long." That same day Alayre fell sick and was not expected to survive the night. To cure her André went next morning to Jeanne, and threatened that if she did not restore Alayre he would beat her so that she would never be well again—and Alayre recovered the next day.*

This shows the material which existed everywhere for development into organized persecution when properly handled by the Inquisition, and the *Flagellum Hæreticorum Fascinariorum* of the Inquisitor, Nicholaus Jaquerius, in 1458, indicates that the Holy Office was beginning to appreciate the necessity of organizing its efforts for systematic work. Perhaps the untoward result of the affair at Arras may have retarded this somewhat by the over-zeal and unscrupulous greed of its manipulators, but if there was a reaction it was limited, both in extent and duration. All the accumulated beliefs in the occult powers of demonic agencies inherited from so many creeds and races still flourished in their integrity. In the existing wretchedness of the peasantry throughout the length and breadth of Europe, recklessness as to the present and hopelessness as to the future led thousands to wish that they could, by transferring their allegiance to Satan, find some momentary relief from the sordid miseries of life. The tales of the sensual delights of the Sabbat, where exquisite meats and drink were furnished in abundance, had an irresistible allurement for those who could scantily reckon on a morsel of black bread, or a turnip or a few beans, to keep starvation at bay. Sprenger, as already stated, tells us that the attraction of intercourse with incubi and succubi was a principal cause of luring souls to ruin. The devastating wars, with bands of écorcheurs and condottieri pillaging everywhere with savage cruelty, reduced whole populations to despair, and those who fancied themselves abandoned by God might well

* Du Cange, s. v. *Sortiarius.*

turn to Satan for help. According to Sprenger, a prolific source of witches was the seduction of young girls who when refused marriage had nothing more to hope for, and sought to avenge themselves on society by acquiring at least the power of evil.* Not only thus was there on the part of many a desire to enter the abhorred sect of Satan-worshippers, which the Church declared to be so numerous and powerful, but doubtless not a few performed the ceremonies to effect it, when perhaps some evil wish which chanced to be realized would convince them that Satan had really accepted their allegiance, and granted them the power which they sought. Certain minds might, in moments of high-wrought exaltation, even imagine that they had obtained admission to the foul mysteries whose reality was rapidly becoming an article of orthodox belief. Others again, in weakness and poverty, found that the reputation of possessing the power of evil was a protection and a support, and they encouraged rather than repressed the credulity of their neighbors. To these must be added the multitudes who derived a source of gain from curing the sorcery which the Church was confessedly unable to relieve, and there was ample material in the despised and lower stratum of society for the innumerable army of witches conjured up by the heated imaginations of the demonographers.

Unfortunately the Church, in its alarm at the development of this new heresy, stimulated it to the utmost in the endeavor to repress it. Every inquisitor whom it commissioned to suppress witchcraft was an active missionary who scattered the seeds of the belief ever more widely. We have seen what a brood of witches Pierre le Bronsart hatched at Arras out of the single one burned at Langres, and how Chiabaudi succeeded in infecting the valleys of the Canavese. It mattered little in the end that le Brousart overreached himself and that Chiabaudi was outwrangled. The minds of the people became more and more familiarized with the idea that witches were everywhere around them, and that every misfortune and accident was the result of their malignity. Every man was thus assiduously taught, when he lost an ox or a child, or a harvest, or was suddenly prostrated with illness, to suspect his neighbors and look for evidence to confirm his suspicions, so that

* Mall. Malef. P. I. Q. i. c. 1.

wherever an inquisitor passed he was overwhelmed with accusations against all who could be imagined to be guilty, from children of tender years to superannuated crones. When Girolamo Visconti was sent to Como he speedily raised such a storm of witchcraft that in 1485 he burned no less than forty-one unfortunates in the little district of Wormserbad in the Grisons—an exploit repeatedly referred to by Sprenger with honest professional pride.*

A special impulse was given to this development when Innocent VIII., December 5, 1404, issued his Bull *Summis desiderantes*, in which he bewailed the deplorable fact that all the Teutonic lands were filled with men and women who exercised upon the faithful all the malignant power which we have seen ascribed to witchcraft, and of which he enumerates the details with awe-inspiring amplification. Henry Institoris and Jacob Sprenger had for some time been performing the office of inquisitors in those regions, but their commissions did not specially mention sorcery as included in their jurisdiction, wherefore their efforts were impeded by overwise clerks and laymen who used this as an excuse for protecting the guilty. Innocent therefore gives them full authority in the premises and orders the Bishop of Strassburg to coerce all who obstruct or interfere with them, calling in, if necessary, the aid of the secular arm. After this, to question the reality of witchcraft was to question the utterance of the Vicar of Christ, and to aid any one accused was to impede the Inquisition. Armed with these powers the two inquisitors, full of zeal, traversed the land, leaving behind them a track of blood and fire, and awakening in all hearts the cruel dread inspired by the absolute belief thus inculcated in all the horrors of witchcraft. In the little town of Ravenspurg alone they boast that they burned forty-eight in five years.†

It is true that they were not everywhere so successful. In the

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* Mall. Malef. P. I. Q. xi.; P. II. Q. i. c. 4, 12; P. III. Q. 15.

† Mall. Malef. P. II. Q. i. c. 4.

Innocent's bull was not confined to Germany alone, but was operative everywhere. In an Italian inquisitorial manual of the period it is included in a collection of bulls "*contra hereticam pravitatem*," which also contains a letter on the subject from the future Emperor Maximilian, dated Brussels, November 6, 1486.—Molinier, Études sur quelques MSS. des Bibliothèques d'Italie, Paris, 1887, p. 72.

Tyrol the Bishop of Brixen published Innocent's bull July 23, 1485, and on September 21 he issued to the inquisitor Henry Institoris a commission granting him full episcopal jurisdiction, but recommending him to associate with him a secular official of the suzerain, Sigismund of Austria. The latter, however, ordered the bishop to appoint a commissioner, and he named Sigismund Samer, pastor of Axams near Innsbruck. The pair commenced operations October 14, but their career, though vigorous, was short and inglorious. It chanced that some of the archduke's courtiers desired to separate him from his wife, Catharine of Saxony, and spread reports that she had endeavored to poison him; and they followed this up by placing in an oven a worthless woman who personated an imprisoned demon and denounced a number of people. Institoris at once seized the accused and applied torture without stint. Then the bishop interposed, and by the middle of November ordered him to leave the diocese and betake himself to his convent, the sooner the better. Institoris, however, was loath to abandon his duty, and drew upon himself a sharper reproof on Ash Wednesday, 1486; he was told that he had nought to do there, that the bishop would attend to all that was necessary through the exercise of the ordinary jurisdiction, and he was warned that if he persisted in remaining he was in danger of assassination from the husbands or kinsmen of the women whom he was persecuting. He finally withdrew to Germany, richly rewarded for his labor by Sigismund, and from his account of the matter it is easy to see that all the sick and withered of Innsbruck had flocked to him with complaints of their neighbors so detailed that he was justified in regarding the place as thoroughly infected. The next year the Tyrolese Landtag complained to the archduke that recently many persons, on baseless denunciations, had been imprisoned, tortured, and disgracefully treated, and we can readily understand the complaint of the *Malleus Maleficarum* that Innsbruck abounded in witches of the most dangerous character, who could bewitch their judges and could not be forced to confess. Still, the seeds of superstition were scattered to fructify in due time. Although in the Tyrolese criminal ordinance issued by Maximilian I., in 1499, there is no allusion to sorcery and witchcraft, yet in 1506 we find the craze fully developed. Some records which have been preserved show trials before secular judges with juries of twelve men,

in which the unfortunate women accused, after due torture, confess all the customary horrors.*

One result of this campaign of Institoris in the Tyrol was that it left Sigismund of Austria in a condition of perplexity as to the reality of witchcraft. His judges had apparently been inexperienced in such matters, the confessions of the accused had varied greatly, and the inquisition had been cut short before they could be forced to consentaneous avowals. To satisfy his mind, in 1487, he consulted on the subject two learned doctors of the law, Ulric Molitoris and Conrad Stürtzel, and the result was published at Constance in 1489 by Ulric, in the form of a discussion between the three. Sigismund is represented as urging the natural argument that the results obtained by witchcraft were so wofully inadequate to the powers ascribed to it as to cast doubt upon the reality of those powers—if they were real, a conqueror would only have, like William the Manzer at Ely, to put a witch at the head of his army to overcome all opposition. Against this view the customary texts and citations were alleged, and the conclusions reached represent very fairly the moderate opinions of the conservatives, who had not as yet yielded fully to the witchcraft craze, but who shrank from a rationalistic denial of that which had been handed down by the wisdom of ages. These are summed up in eight propositions: 1. Satan cannot himself, or by means of human instruments, disturb the elements, or injure men and animals, or render them impotent, but God sometimes permits him to do so to a certain determinate extent. 2. He cannot exceed this designated limit. 3. By permission of God he can sometimes cause illusions by which men appear to be transformed. 4. The night-riding and assemblages of the Sabbat are illusions. 5. Incubi and succubi are incapable of procreation. 6. God alone knows the future and the thoughts of men; the devil can only conjecture and use his knowledge of the stars. 7. Nevertheless witches, by worshipping and sacrificing to Satan, are real heretics and apostates. 8. Finally, they should therefore be put to death. In this cautious endeavor to harmonize the old school and the new, the witch thus gained nothing; everything was conceded that had

* Rapp, Die Hexenprocesse und ihre Gegner aus Tirol, pp. 5–8, 12–13, 143 sqq.—Mall. Maleficar. P. II. Q. 1, c. 12; P. III. Q. 15.

a practical bearing on the tribunals, and it was a mere matter of speculation whether the Sabbat was a dream or a reality, and whether the evil she wrought was the result of a special or a general concession of power by God to Satan. Thus the work of Molitoris is important as showing how feeble were the barriers which intelligent and fair-minded men could erect against the prevailing tendencies so sedulously fostered by popes and inquisitors.*

The fine-drawn distinctions of such men were quickly brushed aside by the aggressive self-confidence of the inquisitors. Even more potent than the personal activity of Sprenger was the legacy which he left behind him in the work which he proudly entitled the *Malleus Maleficarum*, or Hammer of Witches, the most portentous monument of superstition which the world has produced. All his vast experience and wide erudition are brought to the task of proving the reality of witchcraft and the extent of its evils, and, further, of instructing the inquisitor how to elude the wiles of Satan and to punish his devotees. He was no vulgar witch-finder, but a man trained in all the learning of the schools. He apparently was not inhumane. In many places he manifests a laudable desire to give the accused the benefit of whatever pleas they might rightfully put forward, but he is so fully convinced of the gigantic character of the evils to be combated, he so thoroughly believes that his tribunal is engaged in a contest with Satan for human souls, that he eagerly justifies every artifice and every cruelty that could be suggested to outwit the adversary, on whom fair play would be thrown away. Like Conrad of Marburg and Capistrano, he was a man of the most dangerous type, an honest fanatic. His work is, moreover, an inexhaustible storehouse of marvels to which successive generations resorted whenever evi-

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* Molitoris Dial. de Pythonicis Mulieribus c. 1, 10.

The absurd contrast between the illimitable powers ascribed to the witch and her personal wretchedness was explained under torture by the victims as the result of the faithlessness of Satan, who desired to keep them in poverty. When steeped in misery he would appear to them and allure them into his service by the most attractive promises, but when he had attained his end those promises were never kept. Gold given to them would always disappear before it could be used. As one of the Tyrolese witches in 1506 declared, "The devil is a Schalk (knave)." (Rapp, Die Hexenprocesse und ihre Gegner aus Tirol, p. 147.)

dence was needed to prove any special manifestation of the power or malignity of the witch. Told as the results of his own experience or that of his colleagues, with the utmost good faith, they carried conviction with them. In fact, but for the delusive character of human testimony in such matters, the evidence would seem to be overwhelming. Statements of disinterested eye-witnesses, complaints of sufferers, confessions of the guilty, even after condemnation, and at the stake, when there was no hope save of pardon of their sins by God, are innumerable, and so detailed and connected together that the most fertile imagination would seem inadequate to their invention. Besides, the work is so logical in form, according to the fashion of the time, and so firmly based on scholastic theology and canon law, that we cannot wonder at the position accorded to it for more than a century of a leading authority on a subject of the highest practical importance. Quoted implicitly by all succeeding writers, it did more than all other agencies, save the papal bulls, to stimulate and perfect the persecution, and consequently the extension of witchcraft.*

Thus the Inquisition in its decrepitude had a temporary resumption of activity, before the Reformation came to renew its vigor in a different shape. Yet it was not everywhere allowed to work its will upon this new class of heretics. In France edicts of 1490 and 1493 treat them as subject exclusively to the secular courts, unless the offenders happen to be justiciable by the ecclesiastical tribunals, and no allusion whatever is made to the Inquisition. At the same time the growing sharpness of persecution is seen in provisions which subject those who consult necromancers and sorcerers to the same penalties as the practitioners themselves, and threaten judges who are negligent in arresting them with loss

* Diefenbach, the latest writer on witchcraft (Die Hexenwuhn, Mainz, 1886) sees clearly enough that the witch-madness was the result of the means adopted for the suppression of witchcraft, but in his eagerness to relieve the Church from the responsibility he attributes its origin to the *Carolina*, or criminal code of Charles V., issued in 1531, and expressly asserts that ecclesiastical law had nothing to do with it (p. 176). Other recent writers ascribe the horrors of the witch-process to the bull of Innocent VIII., and the *Malleus Maleficarum* (Ib. pp. 222–6). We have been able to trace, however, the definite development of the madness and the means adopted for its cure from the beliefs and the practice of preceding ages. It was, as we have seen, a process of purely natural evolution from the principles which the Church had succeeded in establishing.

of office, perpetual disability, and heavy arbitrary fines. It was doubtless owing to this exclusion of spiritual jurisdiction over sorcery that the spread of witchcraft in France was slower than in Germany and Italy.*

Cornelius Agrippa, whose learned treatises on the occult sciences trench so nearly on forbidden ground, when he held the position of Town Orator and Advocate of Metz, had the hardihood, in 1519, to save from the clutches of the inquisitor, Nicholas Savin, an unfortunate woman accused of witchcraft. The only evidence against her was that her mother had been burned as a witch. Savin quoted the "*Malleus Maleficarum*" to show that if she were not the offspring of an incubus she must undoubtedly have been devoted to Satan at her birth. In conjunction with the episcopal official, John Leonard, he had her cruelly tortured, and she was then exposed to starvation in her prison. When Agrippa offered to defend her he was turned out of court and threatened with prosecution as a fautor of heresy, and her husband was refused access to the place of trial, lest he should interject an appeal. Leonard chanced to fall mortally sick, and, touched with remorse on his death-bed, he executed an instrument declaring his conviction of her innocence and asked the chapter to set her at liberty; but Savin demanded that she should be further tortured and then burned. Agrippa, however, labored so effectually with Leonard's successor and with the chapter that the woman was discharged; but his disinterested zeal cost him his office, and he was obliged to leave Metz. Relieved of his presence, the inquisitor speedily found another witch, whom he burned after forcing her by torture to confess all the horrors of the Sabbat and customary evil deeds wrought through the power of Satan. Encouraged by this, he organized a search for others, doubtless based on the confessions of the victim, and imprisoned a number, while others fled, and there would have been a pitiless massacre had not Roger Brennon, parish priest of St. Cross, openly opposed him and vanquished him in disputation, whereupon the jail doors were thrown open and the fugitives returned.†

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* Fontanon, Edicts et Ordonnances, IV. 237.—Isambert, XI. 190, 253.

† Cornel. Agrippa de Occult. Philos. Lib. I. c. 40; Lib. III. c. 38; Epistt. II. 38, 39, 40, 59; De Vanitate Scientiarum c. xcvi.

The most decided rebuff, however, which the Inquisition experienced in its new sphere of activity was administered by Venice. I have had occasion more than once to allude to the controversy between the Signory and the Holy See over the witches of Brescia, when the Republic definitely refused to execute the sentences of the inquisitors. To understand the full significance of its action, it is to be observed that for two generations the Church had been energetically cultivating witchcraft throughout Lombardy by unceasingly urging its persecution and breaking down all resistance on the part of the intelligent laity, until it had succeeded in rendering upper Italy a perfect hot-bed of the heresy. In 1457 Calixtus III. ordered his nuncio, Bernardo di Bosco, to use active measures in repressing its growth in Brescia, Bergamo, and the vicinage. Thirty years later Frà Girolamo Visconti found an abundant field for his labor in Como, the result of which he communicated to the world in his *Lamiarum Tractatus*, and Sprenger assures us that a whole book would be required to record the cases, in Brescia alone, of women who had become witches through despair in consequence of seduction, although the episcopal court had shown the most praiseworthy vigor in suppressing them. In 1494 we find Alexander VI. stimulating the Lombard inquisitor, Frà Angelo da Verona, to greater activity, assuring him that witches were numerous in Lombardy and inflicted great damage on men, harvests, and cattle. When at Cremona, in the early years of the sixteenth century, the inquisitor, Giorgio di Casale, endeavored to exterminate the numberless witches flourishing there, and was interfered with by certain clerks and laymen, who asserted that he was exceeding his jurisdiction, Julius II., following the example of Innocent VIII. in the case of Sprenger, promptly came to the rescue by defining his powers, and offering to all who would aid him in the good work indulgences such as were given to crusaders—provisions which, in 1523, were extended to the Inquisitor of Como by Adrian VI. The result of all this careful stimulation is seen in the description of the Lombard witches by Gianfrancesco Pico, and in the alarming report by Silvester Prierias that they were extending down the Apennines and boasting that they would outnumber the faithful. The spread of popular belief is illustrated in the remark of Politian, that when he was a child he had great dread of the witches whom his

grandmother used to tell him lie in wait in the woods to swallow little boys.*

Venice had always been careful to preserve the secular jurisdiction over sorcery. A resolution of the great council in 1410 allows the Inquisition to act in such cases when they involve heresy or the abuse of sacraments, but if injury had resulted to individuals the spiritual offence alone was cognizable by the Inquisition, while the resultant crimes were justiciable by the lay court; and when, in 1422, some Franciscans were charged with sacrificing to demons, the Council of Ten committed the affair to a councillor, a capo, an inquisitor, and an advocate. Brescia was a spot peculiarly infected with witchcraft. As early as 1455 the inquisitor, Frà Antonio, called upon the Senate for aid to exterminate it, which was presumably afforded, but when a fresh persecution arose in 1486 the podestà refused to execute the inquisitorial sentences, and the Signoria supported him, calling forth, as we have seen, the vigorous protest of Innocent VIII. Under the stimulus of persecution the evil increased with terrible rapidity. In 1510 we hear of seventy women and seventy men burned at Brescia; in 1514 of three hundred at Como. In such an epidemic every victim was a new source of infection, and the land was threatened with depopulation. In the madness of the hour it was currently reported that on the plain of Tonale, near Brescia, the customary gathering at the Sabbat exceeded twenty-five thousand souls; and in 1518 the Senate was officially informed that the inquisitor had burned seventy witches of the Valcamonica, that he had as many in his prisons, and that those suspected or accused amounted to about five thousand, or one fourth of the inhabitants of the valleys. It was time to interfere, and the Signoria interposed effectually, leading to violent remonstrances from Rome. Leo X. issued, February 15, 1521, his fiery bull, *Honestis*, ordering the inquisitors to use freely the excommunication and the interdict, if their sentences on the witches were not executed without examination or revision, showing how transparent were the subterfuges adopted to throw

* Raynald. ann. 1457, No. 90.—P. Vayra, Le Streghe nel Canavese, op. cit. p. 250.—Mall. Maleficar. P. II. Q. i. c. 1, 12.—Ripoll IV. 190.—Pegnæ Append. ad Eymeric. p. 105.—G. F. Pico, La Strega, p. 17.—Prieriat. de Strigimag. Lib. II. c. 1, 5.—Ang. Politian. Lamia, Colon. 1518.

upon the secular courts the responsibility of putting to death those who were not relapsed. On March 21 the imperturbable Council of Ten quietly responded by laying down regulations for all trials, including the cases in question, of which the sentences were treated as invalid, and all bail heretofore taken was to be discharged. The examinations were to be made without the use of torture by one or two bishops, an inquisitor, and two doctors of Brescia, all selected for probity and intelligence. The result was to be read in the court of the podestà, with the participation of the two *rettori*, or governors, and four more doctors. The accused were to be asked if they ratified their statements, and were to be liable to torture if they modified them. When all this was done with due circumspection, judgment was to be rendered in accordance with the counsel of all the above-named experts, and under no other circumstances was a sentence to be executed. In this way the Signoria hoped that the errors said to have been committed would be avoided for the future. Moreover, the papal legate was to be admonished to see that the expenses of the Inquisition were moderate and free from extortion, and was to find expedients to prevent greed for money from causing the condemnation of the innocent, as was said to have often been the case. He should also depute proper persons to investigate the extortions and other evil acts of the inquisitors, which had excited general complaint, and he should summarily punish the perpetrators to serve as an example. He was further requested to consider that these poor people of Valcamonica were simple folk of the densest ignorance, much more in need of good preachers than of persecutors, especially as they were so numerous.*

In an age of superstition this utterance of the Council of Ten stands forth as a monument of considerate wisdom and calm common-sense. Had its enlightened spirit been allowed to guide the counsels of popes and princes, Europe would have been spared the most disgraceful page in the annals of civilization. The lesson of cruel fear so sedulously inculcated on the nations was thoroughly learned. Hideous as are the details of the persecution of witchcraft which we have been considering up to the fifteenth century,

* G. de Castro, Il Mondo Secreto, IX. 128, 133, 135–6.—Mag. Bull. Rom. I. 440, 617.—Archiv. di Venezia, Misti, Concil. X. Vol. 44, p. 7.

they were but the prelude to the blind and senseless orgies of destruction which disgraced the next century and a half. Christendom seemed to have grown delirious, and Satan might well smile at the tribute to his power seen in the endless smoke of the holocausts which bore witness to his triumph over the Almighty. Protestant and Catholic rivalled each other in the madness of the hour. Witches were burned no longer in ones and twos, but in scores and hundreds. A bishop of Geneva is said to have burned five hundred within three months, a bishop of Bamburg six hundred, a bishop of Würzburg nine hundred. Eight hundred were condemned, apparently in one body, by the Senate of Savoy. So completely had the intervention of Satan, through the instrumentality of his worshippers, become a part of the unconscious process of thought, that any unusual operation of nature was attributed to them as a matter of course. The spring of 1586 was tardy in the Rhinelands and the cold was prolonged until June: this could only be the result of witchcraft, and the Archbishop of Trèves burned at Pfalz a hundred and eighteen women and two men, from whom confessions had been extorted that their incantations had prolonged the winter. It was well that he acted thus promptly, for on their way to the place of execution they stated that had they been allowed three days more they would have brought cold so intense that no green thing could have survived, and that all fields and vineyards would have been cursed with barrenness. The Inquisition evidently had worthy pupils, but it did not relax its own efforts. Paramo boasts that in a century and a half from the commencement of the sect, in 1404, the Holy Office had burned at least thirty thousand witches who, if they had been left unpunished, would easily have brought the whole world to destruction.* Could any Manichæan offer more practical evidence that Satan was lord of the visible universe?

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* Michelet, La Sorcière, Liv. II. ch. iii.—P. Vayra, op. cit. p. 255.—Annal. Novesiens. ann. 1586 (Martene Ampl. Coll. IV. 717).—Paramo de Orig. Off. S. Inquis. p. 296.

CHAPTER VIII.

INTELLECT AND FAITH.

The only heresies which really troubled the Church were those which obtained currency among the people unassisted by the ingenious quodlibets of dialecticians. Possibly there may be an exception to this in the theories of the Brethren of the Free Spirit, which apparently owed their origin to the speculations of Amaury of Bène and David of Dinant; but, as a whole, the Cathari and the Waldenses, the Spirituals and the Fraticelli, even the Hussites, had little or nothing in common with the fine-spun cobwebs of the schoolmen. For a heresy to take root and bear fruit, it must be able to inspire the zeal of martyrdom; and for this it must spring from the heart, and not from the brain. We have seen how, during centuries, multitudes were ready to face death in its most awful form rather than abandon beliefs in which were entwined their sentiments and feelings and their hopes of the hereafter; but history records few cases, from Abelard to Master Eckart and Galileo, in which intellectual conceptions, however firmly entertained, were strong enough to lead to the sacrifice. It is sentiment rather than reason which renders heretics dangerous; and all the pride of intellect was insufficient to nerve the scholar to maintain his thesis with the unfaltering resolution which enabled the peasant to approach the stake singing hymns and joyfully welcoming the flames which were to bear him to salvation.

The schools, consequently, have little to show us in the shape of contests between free thought and authority pushed to the point of invoking the methods of the Inquisition. Yet the latter, by the system which it rendered practicable of enforcing uniformity of belief, exercised too potent an influence on the mental development of Europe for us to pass over this phase of its activity without some brief review.

There were two tendencies at work to provoke collisions be-

tween the schoolmen and the inquisitors. The ardor of persecution, which rendered the purity of the faith the highest aim of the Christian and the most imperative care of the ruler, secular and spiritual, created an exaggerated standard of orthodoxy, which regarded the minutest point of theology as equally important with the fundamental doctrines of religion. We have already seen instances of this in the questions as to the poverty of Christ, as to whether he was dead when lanced on the cross, and as to whether the blood which he shed in the Passion remained on earth or ascended to heaven; and Stephen Palecz, at the Council of Constance, proved dialectically that a doctrine in which one point in a thousand was erroneous was thereby rendered heretical throughout. Moreover, erroneous belief was not necessary, for the Christian must be firm in the faith, and doubt itself was heresy.*

The other tendency was the insane thirst which inflamed the minds of the schoolmen for determining and defining, with absolute precision, every detail of the universe and of the invisible world. So far as this gratified itself within the lines of orthodoxy laid down by an infallible Church it resulted in building up the most complex and stupendous body of theology that human wit has ever elaborated. The *Sentences* of Peter Lombard grew into the *Summa* of Thomas Aquinas, an elaborate structure to be grasped and retained only by minds of peculiar powers after severe and special training. When this was once defined and accepted as orthodox, theology and philosophy became the most dangerous of sciences, while the perverse ingenuity of the schoolmen, revelling in the subtleties of dialectics, was perpetually rearguing doubtful points, raising new questions, and introducing new refinements in matters already too subtle for the comprehension of the ordinary intellect. The inquirer who disturbs the dust now happily covering the records of these forgotten wrangles can only feel regret that such wonderful intellectual acuteness and energy should have been so wofully wasted when, if rightly applied, it might have advanced by so many centuries the progress of humanity.

The story of Roger Bacon, the *Doctor Mirabilis*, is fairly illustrative of the tendencies of the time. That gigantic intellect

* Von der Hardt I. xvi. 829. — Bernardi Comens. Lucerna Inquisit. s. v. *Dubius*.

bruised itself perpetually against the narrow bars erected around it by an age presumptuous in its learned ignorance. Once a transient gleam of light broke in upon the darkness of its environment, when Gui Foucoix was elevated to the papacy, and, as Clement IV., commanded the Englishman to communicate to him the discoveries of which he had vaguely heard. It is touching to see the eagerness with which the unappreciated scholar labored to make the most of this unexpected opportunity; how he impoverished his friends to raise the money requisite to pay the scribes who should set forth in a fair copy the tumultuous train of thought in which he sought to embody the whole store of human knowledge, and how, within the compass of little more than a single year, he thus accomplished the enormous task of writing the *Opus Majus*, the *Opus Minus*, and the *Opus Tertium*. Unfortunately, Clement was more concerned at the moment with the fortunes of Charles of Anjou than with the passing fancy which had led him to call upon the scholar; in little more than two years he was dead, and it is doubtful whether he even repaid the sums expended in gratifying his wishes.*

It was inevitable that Bacon should succumb in the unequal struggle at once with the ignorance and the learning of his age. His labors and his utterances were a protest against the whole existing system of thought and teaching. The schoolmen evolved the universe from their internal consciousness, and then wrangled incessantly over subtleties suggested by the barbarous jargon of their dialectics. It was the same with theology, which had usurped the place of religion. Peter Lombard was greater than all the prophets and evangelists taken together. As Bacon tells us, the study of Scripture was neglected for that of the Sentences, in which lay the whole glory of the theologian. He who taught the Sentences could select his own hour for teaching, and had accommodations provided for him. He who taught the Scriptures had to beg for a time in which to be heard, and had no assistance. The former could dispute, and was held to be a master; the latter was condemned to silence in the debates of the schools. It is impossible, he adds, that the Word of God can be understood, on account of the abuse of the Sentences; and whoso seeks in Script-

* R. Bacon Opp., M. R. Series, J. S. Brewer's Preface, p. xlv.

ure to elucidate questions is stigmatized as whimsical, and is not listened to. Worse than all, the text of the Vulgate is horribly corrupt, and where not corrupt it is doubtful, owing to the ignorance of would-be correctors and their presumption, for every one deemed himself able to correct the text, though he would not venture to alter a word in a poet. First of moderns, Bacon discerned the importance of etymology and of comparative philology, and he exposed unsparingly the wretched blunders customary among the so-called learned, who only succeeded in leading their pupils into error. Bacon's methods were strictly scientific. He wanted facts, actual facts, as a basis for all reasoning, whether on dogma or physical and mental experiences. To him all study of nature or of man was empirical; to know first, and then to reason. Mathematics was first in the order of sciences; then metaphysics; and to him metaphysics was not a barren effort to frame a system on postulates assumed at caprice and built up on dialectical sophisms, but a solid series of deductions from ascertained observations, for, according to Avicenna, "the conclusions of other sciences are the principles of metaphysics." *

The vast labors of the earnest life of a great genius were lost to a world too conceited of its petty vanities to recognize how far he was in advance of it. It was enamored of words; he dealt in things: the actual was rejected for the unsubstantial, and an intellectual revolution of priceless value to mankind was stifled in its inception. It was as though Caliban should chain Prospero and cast him into the ocean. How completely Bacon was unappreciated by an age unable to understand him and his antagonism towards its methods is evidenced by the scarcity of manuscripts of his works, the fragmentary condition of some of them, and the utter disappearance of others. "It is easier," says Leland, "to collect the leaves of the Sibyl than the titles of the works of Roger Bacon." The same evidence is furnished by the absence of detail as to his life no less than by the vulgar stories of his proficiency in magic arts. Even the tragic incident of his imprisonment by his Franciscan superiors and the prohibition to pursue his studies is so obscure that it is told in contradictory fashion, and its truth has been not

* Op. Minus, M. R. Series I. 326-30. — Compend. Studii Philosoph. VII. — Brewer, Preface, p. li.

unreasonably denied. According to one account he was accused of unorthodox speculations, in 1278, to Geronimo d'Ascoli, General of the Order; his opinions were condemned, the brethren were ordered scrupulously to avoid them, and he himself was cast into prison, doubtless because he did not submit as serenely as Olivi to Geronimo's sentence. He must have had followers and sympathizers, for Geronimo is said to have prevented their complaints by promptly applying to Nicholas III. for a confirmation of the judgment. How long his imprisonment lasted is not known, though there is a tradition that he perished in jail, either through sickness or the ill-treatment which we have seen was freely visited by the Franciscans on their erring brethren. Another statement attributes his incarceration to the ascetic Raymond Gaufridi, who was General of the Order from 1289 to 1295. In either case it would not be difficult to explain the cause of his disgrace. In the fierce passions of the schools, one who antagonized so completely the prevailing currents of thought, and who exposed so mercilessly the ignorance of the learned, could not fail to excite bitter enmities. The daring scholar who preferred Scripture to the Sentences, and pronounced the text of the Vulgate to be corrupt, must have given ample opportunity for accusations of heresy in a time when dogma had become so intricate, and mortal heresy might lurk in the minutest aberration. The politic Geronimo might readily listen to enemies so numerous and powerful as those whom Bacon must have provoked. The ascetic Raymond, whose aim was to bring back the Order to its primitive rudeness and simplicity, would regard Bacon's labors with the same aversion as that manifested by the early Spirituals to Crescenzio Grizzi's learning. It was a standing complaint with his section of the Order that Paris had destroyed Assisi. As Jacopone da Todi sang:

"Tal' è, qual' è, tal' è,
Non c' è religione.
Mal vedemmo Parigi
Che n' a destrutto Assisi,"

and the Spiritual General might well like to strike a blow at the greatest scholar of the Order.*

* Brewer, Pref. p. xcviii.—Wadding. ann. 1278, No. 26; ann. 1284, No. 12.—

While Bacon suffered because he antagonized the thought of his time, there was much of scholastic bitterness which escaped animadversion because it was the development of the tendencies of the age, and the schoolmen were allowed to indulge in endless wrangling for the most part without censure. The great quarrel between the Nominalists and the Realists occupies too large a space in the intellectual history of Europe to be wholly passed over, although its relation to our immediate subject is not intimate enough to justify detailed consideration.

In the developed theory of the Realists, genera and species—the distinctive attributes of individual beings, or the conceptions of those attributes—are real entities, if not the only realities. Individuals are ephemeral existences which pass away; the only things which survive are those which are universal and common to all. In man this is humanity, but humanity again is but a portion of a larger existence, the animate, and the animate is but a transitory form of an Infinite Being, which is All and nothing in particular. This is the sole Immutable. These conceptions took their origin in the Periphyseos of John Scot Erigena in the ninth century, whose reaction against the prevailing anthropomorphism led him to sublimated views of the Divine Being, which trenched closely on Pantheism. The heresy latent in his work lay undiscovered until developed by the Amaurians, when the book, after nearly four centuries, was condemned by Honorius III., in 1225.*

Nominalism, on the other hand, regarded the individual as the primal substance; universals are only abstractions or mental conceptions of qualities common to individuals, with no more of reality than the sounds which express them. Even as Realism in the hands of daring thinkers led to Pantheism, so, step by step, Nominalism could be brought to recognize the originality of the individual and finally to Atomism.†

The two antagonistic schools were first clearly defined in the beginning of the twelfth century, with Roscelin, the teacher of

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Wood's Life of Bacon (Brewer, pp. xciv.–xcv.).—C. Müller, Die Anfänge des Minoritenordens, pp. 104–5.

* Tocco, L'Heresia nel Medio Evo, p. 2.—J. Scoti Erigenæ de Divis. Naturæ I. 14; IV. 5.—Alberic. Trium Font. ann. 1225.

† Tocco, p. 4.

Abelard, as the leader of the Nominalists, and William of Champeaux at the head of the Realists. Discussion continued in the schools with constantly increasing bitterness, though neither side dared to push their own views to their ultimate conclusions. Realism in a modified form achieved a triumph with the immense authority of Albertus Magnus and Thomas Aquinas. Duns Scotus was a Realist, though he differed with Aquinas on the problem of individuation, and the Realists became divided into the opposing factions of Thomists and Scotists. While they were thus weakened with dissension, William of Ockham revived Nominalism, and it became bolder than ever. The perennial hostility between the Dominicans and Franciscans tended to range the two Orders under the opposing banners, while Ockham's defence of Louis of Bavaria in his quarrel with the papacy served to impress upon the new school of Nominalists his views upon the relations between Church and State.*

The schools continued to resound with the clangor of disputation, occasionally growing so hot that blows supplied the deficiency of words, and even murder is said to have not been wanting. Under Peter d'Ailly and John Gerson the University of Paris was Nominalist. With the English domination the Realists triumphed and expelled their adversaries, who were unable to return until the restoration of the French monarchy. In 1465 there arose in the University of Louvain a strife which lasted for ten years over some propositions of Pierre de la Rive on fate and divine foreknowledge, in which the rival sects took sides. The University of Paris was drawn in; the Nominalists triumphed in condemning de la Rive, and the Realists took their revenge by procuring from Louis XI. an edict prohibiting the teaching of Nominalist doctrines in the University and in all the schools of the kingdom; all Nominalist books were boxed up and sealed until 1481, when Louis was persuaded to recall his edict, and the university rejoiced to regain her liberty. One tragic incident in the long quarrel has been already alluded to in the trial of John of Wesel which led to his death in prison, and it illustrates how readily scholastic ardor assumed that in gratifying its vindictiveness it was vindicating the faith. The contemporary reporter of the trial assumes that the persecution

* Johann. Saresberiens. Metalog. II. 17.—Tocco, 26, 39, 40, 57.

was caused by the antagonism of the Dominican Realists to the Nominalism of the victim, and he deplores the rage which led the Thomists to regard every one who denied the existence of universals as though guilty of the sin against the Holy Ghost, and as a traitor to God, to the Christian religion, to justice, and to the State.*

The annals of the schools are full of cases which show how the recklessness of disputatious logic led to subtleties most perilous in minute details of theology, and also how sensitive were the conservators of the faith as to anything that might be construed by perverse ingenuity as savoring of heresy. Duns Scotus did not escape, nor Thomas Bradwardine; William of Ockham and Buridan were enveloped in a common condemnation by the University of Paris, of which the latter had been rector. The boundaries between philosophy and the theology which sought to define everything in the visible and invisible world were impossible of definition, and it was a standing grievance that the philosophers were perpetually intruding on the domains of the theologians. When their daring speculations were unorthodox they sought to shelter themselves behind the assertion that according to the methods of philosophy the Catholic religion was erroneous and false, but that it was true as a matter of faith, and that they believed it accordingly. This only made matters worse, for, as the authorities pointed out, it assumed that there were two opposite truths, contradicting each other. It was not merely that orthodox sensitiveness was called upon to condemn, as was done in 1447 by the University of Louvain, such vain sophisms as the assertion that it is possible to conceive of a line a foot long which shall yet have neither beginning nor end, and that a whole may be in England while all its parts are in Rome; or those of Jean Fabre, condemned by the University of Paris in 1463, that any part of a man is a man, that one man is infinite men, that no man is ever corrupted, though sometimes a man is corrupted—propositions in which lurked the possibilities of heretical development—or the apparently yet more innocent grammatical obtuseness which recognized no difference between the phrases "the pot boils" and "pot, thou boilest"—an obtuseness which Erasmus tells us was regarded as an infallible

* Bruckeri Instit. Hist. Philos. Ed. 1756, p. 530.—D'Argentré I. II. 258-84, 298, 302-4.—Baluz. et Mansi, II. 293-6.—Isambert, X. 664-72.

sign of infidelity. Philosophers were not satisfied unless they could prove by logic the profoundest and holiest mysteries of theology, and, however zealous they were in the faith, the intrusion of reason into the theological preserves was not only resented as an interference, but was rightfully regarded with alarm at its possible consequences. When the Arab philosophers were disputing as to the nature and operation of the Divine Knowledge, the calm wisdom of Maimonides interposed, saying, "To endeavor to understand the Divine Knowledge is as though we endeavored to be God himself, so that our perception should be as his. . . . It is absolutely impossible for us to attain this kind of perception. If we could explain it to ourselves we should possess the intelligence which gives this kind of perception." Ambitious schoolmen, however, as well as orthodox theological doctors, refused to admit that the finite cannot grasp the infinite, and their pride of reason awakened, not unnaturally, the jealousy of those who considered it their exclusive privilege to guard the Holy of Holies and to explain the will of God to men. This feeling finds expression as early as 1201 in the story told of the learned doctor, Simon de Tournay, who proved by ingenious arguments the mystery of the Trinity, and then, elated by the applause of his hearers, boasted that if he were disposed to be malignant, he could disprove it with yet stronger ones, whereupon he was immediately stricken with paralysis and idiocy. The self-restraint of such men was a slender reliance, and yet slenderer was the chance that the interposition of Heaven would always furnish so salutary a warning.*

The audacity of these rash intruders upon the sacred precincts increased immeasurably with the introduction of the works of Averrhoes in the second quarter of the thirteenth century, constituting a real danger of the perversion of Christian thought. In the hands of the Arab commentators the theism of Aristotle became a transcendental materialism, carried to its furthest expression by the latest of them, Ibn Roschd or Averrhoes, who died in 1198. In his system matter has existed from the beginning, and

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* D'Argentré I. I. 275, 285–90, 323–30, 337–40; I. II. 249, 255.—R. Lullii Lamentatio Philosophiæ (Opp. Ed. 1651, p. 112).—Erasmi Encom. Moriæ (Ed. Lipsiens. 1828, p. 365).—Maimonides, Guide des Égarés P. III. ch. xxi. (Trad. Munk, III. 155).—Matt. Paris ann. 1201 (Ed. 1644, p. 144).

the theory of creation is impossible. The universe consists of a hierarchy of principles, eternal, primordial, and autonomous, vaguely connected with a superior unity. One of these is the Active Intellect, manifesting itself incessantly and constituting the permanent consciousness of humanity. This is the only form of immortality. As the soul of man is a fragment of a collective whole, temporarily detached to animate the body, at death it is reabsorbed into the Active Intellect of the universe. Consequently there are no future rewards or punishments, no feelings, memory, sensibility, love, or hatred. The perishable body has the power of reproducing itself and thus enjoys a material immortality in its descendants, but it is only collective humanity that is immortal.* To those whose conceptions of paradise and the resurrection were as material as the Swarga of the Brahman or the Kama Loka heavens of the Buddhist, such collective and insensible immortality, like the Moksha and Nirvana, was virtually equivalent to annihilation, and the Averrhoists were universally stigmatized as materialists.

Such theories as these necessarily induced the loftiest indifferentism as to religious formulas, although a wholesome dread of the rising Moslem fanaticism, from which Averrhoes had not escaped scathless, rendered him cautious as to assailing the established faith. "The special religion of philosophers," he says, "is to study what exists, for the most sublime worship of God is the contemplation of his works, which leads us to a knowledge of him in all his reality. In the eye of God this is the noblest of actions, while the vilest is to accuse of error and presumption him who pays to divinity this worship, nobler than all other worship; who adores God by this religion, the best of all religions." At the same time the received religions are an excellent instrument of morality. He who inspires among a people doubts as to the national religion is a heretic, to be punished as such by the established penalties. The wise man will utter no word against the national religion, and will especially avoid speaking of God in a manner equivocal to the vulgar. When several religions confront each other, one should select the noblest. Thus all religions are of human origin, and the choice between them is a matter of opinion or policy—but policy, if nothing else, must have prevented

* Renan, Averrhoès et l'Averrhoïsme, 3e Éd. 1866, pp. 152-3, 156-60, 168.

Averrhoes from uttering the phrase commonly attributed to him —"The Christian faith is impossible; that of Judaism is a religion of children, that of Islam, a religion of hogs." *

Still less credible is the popular assertion which assigns to him the famous speech referring to Moses, Christ, and Mahomet as the three impostors who had deluded the human race. This saying became a convenient formula with which the Church horrified the faithful by attributing it successively to those whom it desired to discredit. Thomas of Cantimpré fathered it upon Simon de Tournay, whose paralytic stroke in 1201 he ascribed to this impiety. Gregory IX., when in 1239 he arraigned Frederic II. before the face of Europe, did not hesitate to assert that he was the author of this utterance, which Frederic made haste to deny in the most solemn manner. A certain renegade Dominican named Thomas Scot, who was condemned and imprisoned in Portugal, was said to have been guilty of this blasphemy among others, and the phrase drifted through the centuries until there was a current belief that an impious book existed under the title *De Tribus Impostoribus*, the authorship of which was attributed variously to Petrus de Vineis, Boccaccio, Poggio, Machiavelli, Erasmus, Servetus, Bernadino Ochino, Rabelais, Pietro Aretino, Étienne Dolet, Francesco Pucci, Muret, Vanini, and Milton. Queen Christina of Sweden vainly caused all the libraries of Europe to be searched for it, but it remained invisible until, in the eighteenth century, various scribblers put forth volumes to gratify the popular curiosity.†

Yet to Frederic II. may be attributed the introduction of Averrhoism in central Europe. In Spain it was so prevalent that about 1260 Alonso X. describes heresies as consisting of two principal divisions, of which the worst was that which denies the immortality of the soul and future rewards and punishments, and in

* Renan, pp. 22, 29–36, 167–9, 297.

† Th. Cantimpr. Bon. Univers. Lib. II. c. 47. — Matt. Paris ann. 1238. — Hist. Diplom. Frid. II. T. V. pp. 339, 349.—Pelayo, Heterodoxos Españoles, I. 507–8, 782–3.

One of these supposititious *Traité des Trois Imposteurs*, published at Yverdon in 1768, is written from a pantheistic standpoint, and not without a certain measure of learning. Although it quotes Descartes, there is a somewhat clumsy attempt to represent it as a translation of a tract sent by Frederic II. to Otho of Bavaria.

1291 we find the Council of Tarragona ordering the punishment of those who disbelieved in a future existence. It was from Toledo that Michael Scot came with translations of Aristotle and Averrhoes, and was warmly welcomed at the court of Frederic, whose insatiable thirst for knowledge and whose slender reverence for formulas led him to grasp eagerly at these unexpected sources of philosophy. It was probably these translations which formed the body of Aristotelism distributed by him to the universities of Italy. Hermannus Alemannus continued Michael's work at Toledo and brought versions of other books to Manfred, who inherited his father's tastes, so that by the middle of the century the principal labors of Averrhoes were accessible to scholars.*

The infection spread with rapidity almost incredible. Already, in 1243, Guillaume d'Auvergne, Bishop of Paris, and the Masters of the University condemned a series of scholastic errors, not indeed distinctively Averrhoist, but manifesting in their bold independence the influence which the Arab philosophy was beginning to exercise. In 1247 the papal legate Otto, Bishop of Frascati, condemned Jean de Brescain for certain heretical speculations concerning light and matter; he was banished from Paris and forbidden to teach, or dispute, or to live where there was a college. At the same time a certain Master Raymond who had been imprisoned for his erroneous views was found to be contumacious and was ordered back to prison, while, for the future, logicians were forbidden to argue theologically and theologians logically, as they were growing accustomed to do. This accomplished little, and as little was effected by Albertus Magnus and Thomas Aquinas, who employed their keenest dialectics to check the spread of these dangerous opinions. Bonaventura likewise denounced the audacious philosophy which denied immortality and asserted the unity of intellect and the eternity of matter, showing that Dominicans and Franciscans could co-operate against a common enemy. In 1270, Étienne Tempier, Bishop of Paris, was called upon to condemn a series of thirteen errors, distinctively Averrhoist, which found defenders among the schools, to the effect that the intellect of all men is the same and is one in number; that human will is

* Partidas, P. VII. Tit. xxvi. l. 1.—Concil. Tarraconens. ann. 1291 c. 8 (Martene Ampliss. Coll. VII. 294).—Renan, pp. 205–16.

controlled by necessity; that the world is eternal and there never was a first man; that the soul is corrupted with the corruption of the body and does not suffer from corporeal fire; that God does not know individual things, he knows nothing but himself, and cannot give immortality and incorruptibility to that which is mortal and corruptible.*

This availed as little as the previous effort. In 1277 it was deemed necessary to invoke the authority of John XXI., under which Bishop Tempier condemned a list of two hundred and nineteen errors, mostly the same as the previous ones, or deductions drawn from them, tending to systematize materialism and fatalism. The daring progress made by free-thought is shown by the sharply defined antagonism proclaimed between philosophy and theology: The philosopher must deny the creation of the world because he relies upon natural causes alone, but the believer may assert it because he relies upon supernatural causes; the utterances of the theologians are based upon fables, and theology is a study unworthy the pursuing, for philosophers are the only sages and the Christian law impedes the progress of learning: prayer, of course, is unnecessary, and sepulture is not worth consideration by the wise man, but confession may be practised to save appearances. The Averrhoist theory of the universe and the celestial spheres was fully expressed, as well as the controlling influences of the stars upon human will and fortunes, for which, as we have seen, Peter of Abano and Cecco d'Ascoli subsequently suffered. In addition we have the speculation that with every cycle of thirty-six thousand years the celestial bodies returned to the same relative positions, producing a repetition of the same series of events.†

About the same time Robert Kilwarby, Archbishop of Canterbury, together with the Masters of Oxford, condemned some errors evidently originating from the same source, but not asserting materialism in a manner so absolute, and this condemnation was confirmed in 1284 by Archbishop Peckham, but the only punishment threatened was deposition for a Master, and for a Bachelor expulsion with disability for promotion. These articles were combined

* Matt. Paris ann. 1243 (p. 415). — S. Bonaventuræ Serm. de decem Præceptis II. (Opp. Venet. 1584, II. 617).—D'Argentré I. i. 158-9, 186-88.

† D'Argentré I. i. 177-83.

with those of Bishop Tempier, and together the collection had wide currency, as shown by the number of MSS. containing it. That the opinions thus condemned continued to be regarded as a source of real danger to the Church is manifested by the articles being customarily printed during the fifteenth and sixteenth centuries at the end of the fourth book of the *Sentences*, and also in an edition each of Thomas Aquinas, Duns Scotus, and Bonaventura.*

Yet after the death of Bishop Tempier these articles aroused considerable complaint as interfering with freedom of discussion, and they became the object of no little debate. In fact, in so long a list of errors, many of them scarce apprehensible save by the scholastic mind, it was almost impossible to avoid trenching upon positions held to be orthodox in a theology of which the complexity had grown beyond the grasp of finite intelligence and finite memory. Considerable trouble was occasioned by the fact that some of the articles assailed positions held by Thomas Aquinas himself; others were attacked by William of Ockham and Jean de Poilly. How perilous, indeed, was the position of the theological expert in the war of dialectics is seen in the case of the *Doctor Fundatissimus*, Egidio Colonna, better known as Egidio da Roma. There was no more earnest and active opponent of Averrhoism, and his list of its errors long continued to be the basis of its condemnation. Yet he translated a commentary on Aristotle, and in 1285 he was accused in Paris of entertaining some of the errors condemned in 1277. After considerable discussion the matter was carried before the Holy See, and Honorius IV. referred him back to the University of Paris for sentence. He made his peace so effectually that Philippe le Bel, whose tutor he had been, presented him to the great archbishopric of Bourges.†

At the close of the thirteenth and the commencement of the fourteenth century the principal figure in the contest with Averrhoes is Raymond Lully—aptly styled by Renan the hero of the crusade against it — but the career of Lullism was so remarkable that it must be considered independently hereafter. All efforts failed to suppress a philosophy which offered such attractions to the rising energies of the human intellect. An avowed school of

* D'Argentré I. i. 185, 212–13, 234.

† D'Argentré I. i. 214–15, 235–6.—Renan, pp. 467–70.—Eymeric. pp. 238, 241.

Averrhoists arose, whose tenets, introduced in the University of Padua seemingly by Peter of Abano, reigned there supreme until the seventeenth century. The University of Bologna likewise adopted them. Jean de Jandun, the collaborator of Marsilio of Padua, was a modified Averrhoist, as were Walter Burleigh, Buridan, and the Ockhamists. John of Baconthorpe, who died in 1346 as General of the Carmelites, rejoiced in the title of Prince of Averrhoists, and through him the philosophy became traditional in the Order. These men might conceal to themselves the dangerous irreligion which lurked under their cherished theories, but when these spread among the people, divested of the subtle dialectics of the schools, they developed into frank materialism. Dante's description of the portion of hell where

> "Suo cimitero da questa parte hanno
> Con Epicuro tutti i suoi seguaci
> Che l'anima col corpo morta fanno" (INFERNO, X.)

manifests by its occupants that Averrhoism in its crudest form was openly professed by men high in station; and some proceedings of the Inquisitions of Carcassonne and Pamiers in the first quarter of the fourteenth century indicate that even in the lower strata of society such opinions were not uncommon. The indignation of Petrarch shows us how fashionable and how outspoken by the middle of the century this indifferentism had become in the Venetian provinces, where men did not hesitate to ridicule Christ and to regard Averrhoes as the fountain of wisdom. In Florence the tradition of the same philosophic contempt for dogma is indicated by Boccaccio's story of the Three Rings, wherein Melchisedech the Jew, by an ingenious parable, conveys to Saladin the conclusion that all three religions are on the same plane, with equal claims for reverence. In Spain, although philosophy was little cultivated, Morisco tradition seems to have kept Averrhoism alive. The revolted nobles who, in 1464, presented their complaints to King Enrique IV., declare him suspect in the faith because he keeps about his person enemies of Catholicism, and others who, while nominally Christians, boast of their disbelief in the immortality of the soul.*

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* Renan, pp. 318–20, 322, 325, 339, 342, 345–6. — Molinier, Études surquelques MSS. des Bibliothèques d'Italie, p. 103.—Petrarchi Lib. sine Titulo Epist. XVIII.

Averrhoism had thus fairly conquered a position for itself, and it is one of the inscrutable problems why the Inquisition, so unrelenting in its suppression of minor aberrations, should have conceded impunity to speculations which not only sapped the foundations of Christian faith, but by plain implication denied all the doctrines on which were based the wealth and power of the hierarchy. Even the University of Paris, so vigilant in its guard over orthodoxy, seems during the remainder of the fourteenth century to have abstained from condemning Averrhoism and its deductions, although there were numerous decisions against minute errors of scholastic theology. Yet to Gerson Averrhoes was still the most insolent adversary of the faith; he was the man who had condemned all religions as bad, but that of the Christians as worst of all, for they daily ate their God; and, in the allegorical paintings of Orcagna, Traini, Taddeo Gaddi, and their successors, Averrhoes commonly figures as the impersonation of rebellious unbelief.*

It was not till 1512 that Averrhoism had its first recorded victim since Peter of Abano, in the person of Hermann of Ryswick, who, in 1499, had been condemned for teaching its materialistic doctrines—that matter is uncreated and has existed with God from the beginning, that the soul dies with the body, and that angels, whether good or bad, are not created by God. He abjured and was sentenced to perpetual imprisonment, but escaped and persisted in propagating his errors. When again apprehended, in 1512, the inquisitor at The Hague had no hesitation in handing him over as a relapsed to the secular arm, and he was duly burned.†

In northern Europe, where scholastic theology was engaged in mortal combat with Humanism, rigor like this is to be looked for, but the case was different in Italy. There letters had long before got the better of faith. The infection of culture and philosophy, of elegant paganism, pervaded all the more elevated ranks of society. A succession of cultured popes, who were temporal princes rather than vicars of Christ, and who prided themselves on the patronage of scholars, could turn aside from the affairs of state to

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Ejusd. contra Medicum Lib. II. (Ed. Basil. 1581, p. 1098).—Decamerone, Giorn. I. Nov. 3.—Marina, Théorie des Cortès, Trad. Fleury, Paris, 1822, II, 515.

* Gerson. sup. Magnificat. Tract. IX. (Ed. 1489, 89f, 91f).—Renan, p. 314.

† D'Argentré I. II. 342.—Alph. de Castro adv. Hæreses, Lib. II. s. v. *Angelus.*

stimulate the burning of miserable witches, but not to condemn the errors of the philosophers who adorned their courts. If Rome was to remain the mistress of the world under the New Learning, she could not afford to be relentless in repressing the aspirations and speculations of scholars and philosophers.* The battle had been fought and lost over Lorenzo Valla. It is true that his destructive criticism of the Donation of Constantine was written at Naples about 1440, when Alfonso I. was in conflict with Eugenius IV. Yet, as he not only swept away the foundations of the temporal power, but argued that the papacy should be deprived of it, the impunity which he enjoyed is a remarkable proof of the freedom of speech permitted at the period. His troubles arose from a different cause, and even these he would probably have escaped but for the quarrelsome humor of the man, and his unsparing ridicule of the horrible jargon of the schools and even of the earlier Humanists. He made enemies enough to conspire for his ruin at the court of Naples, where Alfonso had studied Latin under his teaching, and he soon gave occasion for their attack. Becoming involved in a contest with an ignorant priest who asserted that the Symbol was the production of the Apostles, the discussion spread to the authenticity of the communications between Christ and King Abgar of Edessa. Valla posted a list of the propositions assailed, and hired a hall in which to defend them against all comers, when his enemies procured from the king a prohibition of disputation. Valla then posted on the hall-door a triumphant distich:

"Rex pacis miserans sternendas Marte phalanges,
Victoris cupidum continuit gladium."

Then the Inquisition interposed, but Alfonso exercised the royal Neapolitan prerogative of putting a stop to the prosecution, Valla

* For a luminous presentation of the influence of Humanism on the policy of the Church in the fifteenth century, see Creighton's History of the Popes, II. 333 sqq. It was one of the complaints of Savonarola that learning and culture had supplanted religion in the minds of those to whom the destinies of Christianity were confided until they had become infidels—"Vattene a Roma e per tutto il Cristianesimo; nelle case de' gran prelati e de' gran maestri non s' attende se non a poesie e ad arte oratoria. . . . Essi hanno introdotto fra noi le feste del diavolo; essi non credono a Dio, e si fanno beffe dei misteri della nostra religione" (Villari, Storia di Savonarola, Ed. 1887, I. 197, 199).

being only forced to make a general declaration that he believed as Holy Mother Church believed—the sincerity of which appeared when, attacked on a point of dialectics, he defended himself by saying: "In this, too, I believe as Mother Church believes, though Mother Church knows nothing about it." When, in 1443, Alfonso and Eugenius were reconciled, Valla sought to go to Rome, but was unable to do so; but when the monkish Eugenius was succeeded by the humanist Nicholas V., the way was opened. Nicholas not only welcomed him, but gave him a position among the papal secretaries and rewarded his translation of Thucydides with a gift of five hundred ducats. Calixtus III. provided him with a prebend in the pope's own church of St. John Lateran, and here he was honorably buried. So little reverence, indeed, existed at the time for the most sacred subjects that Æneas Sylvius relates with admiration, as an illustration of Alfonso's keenness, that when he had been wearied with a sermon by Frà Antonio, a Sicilian Dominican, on some questions concerning the Eucharist, he put to the preacher the following puzzle: A man enclosed a consecrated host in a vase of gold; a month later, on opening it, he found only a worm; the worm could not have been formed from the pure gold, nor from the accidents which were there, without the subject; it was therefore produced from the body of Christ; but from the substance of God nothing but God can proceed, therefore the worm was God. In such a spiritual atmosphere it was in vain that Lorenzo's enemy Poggio, whom he had mercilessly ridiculed and abused, urged that his errors as to the nature of God and the vow of chastity should be reproved by fire rather than by argument. His annotations on the New Testament, in which he corrected the errors of the Vulgate by the aid of the Greek text, although subsequently put in the index by Paul IV. in 1559, was not condemned at the time. Nicholas V. saw it, Bessarion contributed to it, Nicholas of Cusa begged a copy of it, and Erasmus, in 1505, published it with enthusiastic encomiums, under the patronage of Christopher Fischer, papal prothonotary. We have seen from Bacon how hopelessly corrupt the text of the Vulgate had become; Valla's attempt to purify it was warmly contested, but in his controversy over it with Poggio he won the victory, and the right to do so was thenceforth conceded.*

* Laurent. Vallæ in Donat. Constant. Declam. (Fasciculus Rer. Expetendar. I.

After this, scholarship, however heretical, had little to fear in Italy; and the toleration thus extended to the most daring speculations offers abundant food for thought, when we remember that at this very time the Franciscans and Dominicans were turbulently endeavoring to burn each other over the infinitesimal question as to whether the blood of Christ shed in the Passion remained on earth or not. It is true that in 1459 the Lombard inquisitor, Jacopo da Brescia, condemned to degradation and perpetual imprisonment Doctor Zanino da Solcia, Canon of Bergamo, who entertained some crazy theories that the end of the world was approaching, and that God had created another world populated by human beings, so that Adam was not the first man, together with some Averrhoistic tenets that it was the power of the stars, and not love for humanity that led Christ to the cross, and that Christ, Moses, and Mahomet governed mankind at their pleasure; but

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132, Ed. 1690).—Bayle, s. v. *Valla*.—Raynald. ann. 1446, No. 9.—Paramo de Orig. Offic. S. Inq. p. 297.—Wagenmann, Real-Encykl. VIII. 492-3.—Creighton's Hist. of the Popes, II. 340.—Æn. Sylv. Comment. in Dict. et Fact. Alfonsi Regis Lib. I. —Erasmi Epistt. Lib. IV. Ep. 7; Lib. VII. Ep. 3.—Reusch, Der Index der Verbotenen Bücher, I. 227.

The immediate conviction wrought by Valla's criticism of the Donation of Constantine is shown in Æneas Sylvius's defence of the temporal power, where he abandons Constantine entirely, basing the territorial claims of the Holy See on the gifts of Charlemagne, and its authority over kings on the power of the keys and the headship granted to Peter (Æn. Sylvii Opp. inedd. pp. 571-81). Yet the Church soon rallied and renewed its claims. Arnaldo Albertino, Inquisitor of Valencia, in alluding to the Donation of Constantine, says, in 1538, that Lorenzo Valla endeavored to dispute its truth, but that every one else is united in maintaining it, so that to deny it is to come near heresy (Arn. Albertini Repetitio nova, Valentiæ, 1534, col. 32-3). Curiously enough, he adds that it is asserted in the bull *Unam Sanctam*, which is not the case (I. Extrav. Commun. Lib. I. Tit. viii.). In fact, Boniface VIII. founded his claims on Christ, and a reference to Constantine would only weaken them.

Valla's bitter and captious criticisms provoked sundry epigrams after his death.

"Nunc postquam manes defunctus Valla petivit,
Non audet Pluto verba Latina loqui.
Jupiter hunc cæli dignatus parte fuisset,
Censorem linguæ sed temet esse suæ."

"Ohe ut Valla silet solitus qui parcere nulli est!
Si quæris quid agat nunc quoque mordet humum."—(Bayle, l. c.).

Pius II., in confirming the sentence, moderated it with the evident purpose in due time of remedying the over-zeal of the inquisitor. He also interfered when the Inquisition had condemned a high official of Udine for virtually denying immortality by asserting that the blood is the soul: the sentence was set aside, and the offender was offered the easy opportunity of escaping punishment as a heretic by publicly declaring this to be an error. Pius, however, showed his orthodoxy by reproving the laxity of Eugenius IV. in the case of Braccio da Montone, the condottiere lord of Perugia, an avowed infidel, whose body, on his death in 1424 at the siege of Aquila, was brought to Rome and thrust into unconsecrated ground until Eugenius had it translated and honorably buried in the cathedral of Perugia. A more typical case is that of Gismondo Malatesta, Lord of Rimini. He was a man of high culture, and an ardent adept of the new philosophy, who manifested his zeal by bringing from the Peloponnesus and burying with a laudatory inscription, in the cathedral of Rimini, Gemistus Plethon, the half-pagan founder of a new philosophical religion. All this might have escaped animadversion had not his ambition led him to extend his dominions at the expense of papal territory. In the quarrel which ensued his heterodoxy served as a convenient object of attack, and in 1461 Pius II. condemned him as a heretic who denied the immortality of the soul, and in default of his body burned his effigy before a Roman crowd. So little effect had this that the Venetians maintained their alliance with Gismondo, and the Bishop of Treviso incurred imminent risk of losing his see by reason of publishing the sentence. More efficacious was a crusade, in 1463, under the Cardinal of Theane and Federigo d' Urbino, when Gismondo was stripped of nearly all his possessions and was forced to sue for peace. His heresy then was so little regarded that he was allowed to abjure by deputy, and was reconciled under the trifling penance of Friday fasting on bread and water.*

In fact, as Gregory of Heimburg bitterly declares, it was safer to discuss the power of God than that of the popes. This was very clearly demonstrated in the persecution of the "Academy"

* Raynald. ann. 1459, No. 31; ann. 1461, No. 9, 10.—Æn. Sylvii Opp. inedd. pp. 453, 506–7, 524, 653.—B. Platinæ Vit. Pauli III.—Creighton, Hist. of the Popes, II. 440; III. 39.

by Paul II. Pius II. had formed in the curia a college of sixty "abbreviators" for the expedition of papal briefs, which became for the most part a refuge for needy men of letters. Platina, the papal biographer, who was one of them, tells us that it was customary among both philosophers and theologians to dispute about the soul, the existence of God, the separated essences, and other matters, and he seeks to palliate the evil repute thence arising by saying that people confounded search for the truth with heretical doubt. The people probably had ample cause for scandal in such debates among papal officials, which was not diminished when Pomponio Leto founded in honor of Plato an academy of the leading Humanists, who bestowed on their leader the title of Pontifex Maximus, offered sacrifices on the anniversary of the foundation of Rome, and discarded their baptismal names in favor of classical ones. Pomponio himself would study nothing later than the golden age of Roman literature, thus dismissing with contempt the Scriptures and the Fathers, and he daily knelt before an altar dedicated to Romulus. All this might have passed unrepressed had these classical zealots borne with philosophy the withdrawal of papal patronage. One of the early acts of Paul II., in his effort to reform abuses, was the suppression of the College of Abbreviators in consequence of ugly rumors as to the venality and extortion of its members. The men of letters, many of whom had purchased their positions, were indignant at this deprivation of their means of livelihood. Platina was hardy enough to ask the pope to have their rights decided by the Auditors of the Rota, and was refused with abundant emphasis. He then had the incredible audacity to write to Paul threatening him with an appeal to the princes of Christendom to call a council on the subject. After Constance and Basle, the word council was not one to be safely uttered within earshot of a pope; Platina was promptly arrested on a charge of high-treason and thrown into jail, where he lay in chains, without fire, during four winter months, until released on the intercession of Cardinal Gonzaga. All this was not likely to create harmony between Paul and the Humanists; we can readily imagine that epigrams and satires on the pope were freely circulated and that the breach grew wider, but the men of letters, if allowed to remain hungry, were not molested until, early in 1468, Paul was informed that the members of the Academy were con-

spiring against him. That a crazy admiration of antiquity should culminate in an effort to restore the liberty of Rome was not improbable, and the situation in Italy was such as to render an effort of the kind abundantly capable of causing trouble. Paul was thoroughly alarmed, and at once imprisoned the suspected conspirators. The unlucky Platina, who was one of them, has given us an account of the relentless tortures to which, for two days, about twenty of them were subjected, while Pomponio, who chanced to be in Venice, was dragged to Rome like another Jugurtha. No criminating evidence of treason was discovered, but they were kept in durance for a year, and, in order to find some justification for the affair, which had excited much comment, they were accused of heresy, of disputing about the immortality of the soul, and of venerating Plato. It proves how leniently such aberrations were regarded that they were finally acquitted of all heresy and discharged; and that although Paul abolished the Academy, prohibiting even the mention of its name, his successor, Sixtus IV., as a patron of letters, permitted its re-establishment and appointed Platina librarian of the Vatican library which he founded.*

The tolerance thus extended to the paganism of the enthusiastic votaries of the New Learning produced a curious development of religious sentiment among them as insidiously dangerous to the faith, except in its lack of popular attractiveness, as the dogmas so ruthlessly exterminated by Peter Martyr and François Borel. Marsilio Ficino, the Platonist, evidently regarded himself, and was regarded, as a champion of Christianity and a most deserving son of the Church, and yet he kept a lamp lighted in honor of Plato, whom he repeatedly declared to be a Greek-speaking Moses. He brought all religions upon the same level. The worship of the pagan gods of antiquity was a worship of the true God, and not, as the Church held, an adoration of demons. He found Para-

* Gregor. Heymburg. Confut. Primatus Papæ (Fascic. Rer. Expetend. II. 117). —B. Platinæ Vit. Pauli II.—Cantù, I. 186–7, 198.

Creighton (Hist. of the Popes, III. 276 sqq.) has printed from a Cambridge MS. a curious correspondence between Pomponio, while imprisoned in the Castle of Sant' Angelo, and his jailer, Rodrigo de Arevalo, afterwards Bishop of Zamora. It shows how fragile was the philosophy of the Platonists when exposed to real privations.

dise in the Elysian Fields, and Purgatory in Hades. Zoroaster, Orpheus, Hermes Trismegistus, Socrates, Plato, and Virgil were prophets on whose evidence he relies to prove the divinity of Christ. The Crito confirms the Evangel and contains the foundation of religion. Even the Neo-Platonists, Plotinus and Proclus, and Iamblichus, are shown to have been supporters of the faith which they so earnestly combated while alive. For teachings far less dangerous than this hundreds of men had been forced to the alternative of recantation or the stake, but Marsilio was honored as a light of his age. It is true that he avoided the errors of Averrhoism, but as these were likewise tolerated his impunity is not to be ascribed to this. While admitting the importance of astrology, he held that the stars have no power of themselves; they can merely indicate, and their indication of the future by their regular revolutions shows that affairs are not abandoned to chance, but are ruled by Providence. So, while human character is affected by the position of the stars at the hour of birth, it is much more the result of heredity and training. Perhaps the most curious illustration which Marsilio gives us of the confusion and upturning of religious ideas in the Renaissance is a letter addressed to Eberhard, Count of Wirtemberg, in which he seriously proves that the sun is not to be worshipped as God. In one respect he was more orthodox than most of his brethren of the New Learning, for he believed in the immortality of the soul, and maintained it in a laborious treatise, but he could not convince his favorite pupil, Michele Mercato, and made with him a compact that the one dying first should return, if there was a future life, and inform the other. One morning Mercato was awakened by the trampling of a horse and a voice calling to him: on rushing to the window the horseman shouted, "Mercato, it is true!" Marsilio had that moment died.*

An exception to this prevalent tolerance is commonly said to

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* Marsil. Ficin. Epistt. Libb. VIII., XI., XII. (Opp. Ed. 1561, I. 866–7, 931, 946, 962–3); De Christ. Relig. c. 11, 13, 22, 24, 26 (I. 15, 18, 25, 29); De Vita Cœlitus comparanda Lib. III. c. 1, 2 (I. 532–33); In Platonem (II. 1390); In Plotinum c. 6, 7, 12, 15 (II. 1620-22, 1633, 1636).—Cantù, I. 179.

Yet we find him attributing a fever and diarrhœa to the influence of Saturn in the house of Cancer, for Saturn had been in his geniture from the beginning; and his cure he ascribes to a vow made to the Virgin.—Epistt. Opp. I. 644, 733.

be found in the case of Matteo Palmiere of Pisa, reported to have been burned in 1483 for maintaining in his poem, the *Città di Vita*, that the souls of men are the angels who stood neutral in the revolt of Satan. In reality, however, although the Inquisition disapproved his book, the author was not persecuted; he was honorably buried in Florence, and his portrait by Sandro Botticelli was placed over the altar of San Pietro Maggiore.*

That it was not, however, always safe to presume on this favor shown to humanism is evident by the case of Giovanni Pico della Mirandola, the wonder of his age, who in 1487, when but twenty-four years old, published a series of nine hundred propositions which he offered to defend in Rome against all comers, paying the expenses of scholars who might travel for the purpose from distant lands. The list was virtually *de omni scibili*, comprising everything recognized as knowable in theology, philosophy, and science, even including the mysteries of the East. It was doubtless the pretentiousness of the young scholar which provoked enmity leading to animadversion on his orthodoxy, and it was not difficult in so vast an array of conclusions to find some thirteen which savored of heresy. To us it might appear a truism to say that belief is independent of volition; we might hesitate to affirm positively whether Christ descended into hell personally or only effectively; we might even agree with him that mortal sin, limited and finite, is not to be visited with chastisement unlimited and infinite; and we might hesitate to embark with him in investigating too narrowly the mysteries of transubstantiation; but these speculative assumptions of the self-sufficient thinker were condemned as heretical by the theologians appointed for their examination by Innocent VIII., who quietly remarked: "This youth wishes to end badly, and be burned some of these days, and then be infamous forever like many another." Pico was urged to resist and raise a schism, but nothing was further from his thoughts. His few remaining years were passed in the assiduous study of Scripture; he designed, after completing certain works in hand, to wander barefoot over Europe preaching Christ; then, changing his purpose, he intended to enter the Dominican Order, but his projects were cut short, at the age of thirty-two, by the fever

* D'Argentré I. II. 250.—Cantù, I. 182, III. 699-700.

which carried him off, gratified in his last hours with a vision of the Virgin. Such a man was an easy victim; the voluminous apology which he wrote to explain his errors availed him nothing, and he was compelled to make a full submission, which earned from Alexander VI., in 1493, not long before Pico's death, a bull declaring his orthodoxy and forbidding the Inquisition to trouble him.*

In curious contrast to this exceptional rigor was the toleration manifested towards the Averrhoists. It is true that Leo X., in the Council of Lateran, December 21, 1513, procured the confirmation of a bull in which he deplored the spread of the doctrine of the mortality of the soul and of there being but one soul common to mankind. He also condemned the opinions which maintained the eternity of the earth and that the soul has not the form of the body, and in prohibiting their teaching in the schools he especially alluded to the ingenious device adopted by professors of arguing against them so equivocally as to lead to the conviction of their truth. In 1518, moreover, when commissioning Master Leonardo Crivelli as Inquisitor-general of Lombardy, he calls his appointee's special attention to those who seek to know more than it is well to know, and who think ill of the Holy See; these he is to repress with the free use of torture, incarceration, and other penalties, and to pay over their confiscated property to the papal camera, no matter of what condition or dignity they might be. Yet debates on points of Averrhoistic philosophy were the favorite amusement of the semi-pagan philosophers who gathered in Leo's court, and who deemed that all that was necessary to preserve them from the Inquisition was to present arguments on both sides, pronounce the questions insoluble to human reason, and conclude with a hypocritical submission to the Church. Such was the device of Pomponazio (1473–1525), under whom Averrhoism became more popular than ever, although he ridiculed Averrhoes and called himself an Alexandrian, from Alexander of Aphrodisias, the Aristotelian commentator, from whom Averrhoes had derived much. Pomponazio invented the dilemma, "If the three religions are false, all men are deceived: if only one is true, the majority of men are

* J. Pic. Mirand. Vita, Conclusiones, Apologia, Alexand. PP. VI. Bull. *Omnium Catholicor.* (Opp. Basil. 1572). Cf. Cantù, I. 185.

deceived." He argued, "If there is a will superior to mine, why should I be responsible for my acts and deeds? Now a will, a superior order exists, therefore all that happens must be in accordance with a preordained cause: whether I do right or wrong there is neither merit nor sin." In his treatise *De Incantationibus* he argued away all miracles. The bones of a dog would effect cures as readily as the relics of a saint if the patient's imagination entertained the same belief in them. Like Peter of Abano, moreover, he held that everything is according to the order of nature; revolutions of empires and religions follow the course of the stars; thaumaturgists are but skilful physicists who foresee the occult influences at work and profit by the suspension of ordinary laws to found new religions; when the influences cease, miracles cease, religions decay, and incredulity would triumph if renewed conjunctions of the planets did not cause fresh prodigies and new thaumaturgists. All this was far worse than anything for which Cecco d'Ascoli suffered, but Pomponazio escaped his fate by cautiously excepting the Christian faith.*

In fact, the only work which gave him serious trouble was his treatise *De Immortalitate Animæ*, written after the Lateran denunciation, in 1516, which Prierias informs us ought rather to have been entitled "*De Mortalitate.*" In this it is true that he rejects the Averrhoist theory of a universal intelligence as unworthy of refutation through its monstrous and unintelligible fatuity;

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* Concil. Lateran. V. Sess. VIII. (Harduin. IX. 1719).—Ripoll IV. 373.—Renan, pp. 53, 363.—P. Pomponatii Tract. de Immort. Animæ c. xiv.—Cantù, I. 179–81. —Bayle, s. v. *Pomponace*, Note D.

The device by which philosophers escaped responsibility for their philosophy is illustrated by the concluding words of Agostino Nifo's treatise *De Cœlo et Mundo*, in 1514: "In qua omnibus pateat me omnia esse locutum ut phylosophum: quæ vero viderentur Sanctæ Romanæ Ecclesiæ dissonare illico revocamus, asserentes ea incuria nostra proficisci non autem a malitia, quare nostras has interpretationes omnes et quascunque alias in quibusvis libris editis Sanctæ Romanæ Ecclesiæ submittimus."

And so Marsilio Ficino—"Nos autem in omnibus quæ scribimus eatenus affirmari a nobis aliisque volumus quatenus Christianorum theologorum concilio videatur"—De Immort. Animæ, Lib. XVIII. c. 5.

Pomponazio winds up his treatise on the immortality of the soul with "Hæc itaque sunt quæ mihi in hac materia dicenda videntur. Semper tamen in hoc et in aliis subjiciendo sedi Apostolicæ"—De Immort. Animæ c. xv.

but, after stating the various arguments for and against immortality, with an evident bearing towards the latter, he sums up by declaring the problem to be "neutral," like that of the eternity of the earth; there are no natural reasons proving the soul either to be immortal or mortal, but God and Scripture assert immortality, and therefore reasons proving mortality must be false. He evidently seeks to indicate that immortality is a matter of faith, and not of reason; and he even goes so far as to attribute much of the popular belief in departed spirits and in visions to the frauds of corrupt priests, examples of which he says were not uncommon at the time. The thin veil thus cast over its infidelity did not save the book in Venice, where the patriarch had it publicly burned, and wrote to Cardinal Bembo to have it condemned in Rome. Bembo read it with gusto, pronounced it conformable with the faith, and gave it to the Master of the Sacred Palace, who reached the same opinion. The latter's successor in office, however, Prierias, was less indulgent. In his treatise on witches (1521) he declares that the example of the Venetians ought to be everywhere followed, while his elaborate argumentation to prove the immortality of the soul, and that the souls of brutes are not the same as those of men, shows how widespread were irreligious opinions, and how freely the questions were debated at the time. This is further illustrated in the confession of Eugenio Tarralba before the Spanish Inquisition in 1528, when he testified that as a youth he had studied in Rome, where his three masters, Mariana, Avanselo, and Maguera, all taught him that the soul was mortal, and he was unable to answer their arguments.*

Pomponazio did not remain unanswered. In 1492 Agostino Nifo, professor at Padua, in his work *De Intellectu et Dæmonibus*, had contended for the Averrhoist theory of the unity of intelligence; a single intellect pervades the universe, and modifies all things at its will. He had already had trouble with the Dominicans, and this gave them the advantage; it would have fared ill with him had not Pietro Barozzi, the enlightened Bishop of Padua, saved him, and induced him to modify his teachings. Despite his philosophy, he was a skilful courtier, and became a favor-

* P. Pomponatii Tract. de Immort. Animæ c. iv., viii., xiv., xiv.—Prieriat. de Strigimagar. Lib. i. c. iv., v.—Llorente, Hist. de l'Inq. d'Espagne, ch. xv. Art. ii. No. 4.

ite with Leo X., who made him count of the palace, and paid him to prove against Pomponazio that Aristotle maintained the immortality of the soul. He became the accepted interpreter of Averrhoes throughout Italy, and his mitigated Averrhoism remained the doctrine taught at Padua during the remainder of the century.*

It was impossible that the ministers of the Church should escape the contagion of this fashionable infidelity, however little, in their worldly self-seeking, they might trouble themselves about the theories of Averrhoism. In his sermons on Ezekiel, in the Lent of 1497, Savonarola describes the priests of the period as slaying the souls of their flocks by their wicked example; their worship, he says, is to spend the night with strumpets and the day in singing in the choir; the altar is their shop; they openly assert that the world is not ruled by the providence of God, but that everything is the result of chance, and that Christ is not in the Eucharist.† It was no wonder, then, that the more thoughtful of the laity, conscious of the evils of the dominant faith, and yet powerless, under the watchful eye of the Inquisition, to apply a corrective short of indifferentism or practical atheism; striving helplessly for something better than they saw around them, and yet unable to release the primal principles of Christianity from the incrustations of scholastic theology, should find their only refuge in these philosophical speculations which virtually reduced Christianity to nothingness. Had not the Reformation come, the culture of Europe would inevitably have been atheistic, or devoted to sublimated deism, scarce distinguishable from atheism. The Church would permit no dissidence within its pale, and yet was singularly tolerant of these aberrations of the fashionable Humanism. It persecuted the Fraticelli who dared to uphold the poverty of Christ, yet it allowed the paganism of the revived Hellenism to be disseminated almost without interference. Occasionally some zealous Dominican, eager to defend the inspired doctrines of the Angelic Doctor, would threaten trouble, and would burn a too daring book, but the author could readily find protectors high in the Church, some Barozzi or Bembo, who conjured the storm.

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* Renan, pp. 367–72.—Cantù, I. 183.

† Villari, Frà Girolamo Savonarola, Ed. 1887, T. II. p. 3.

The Reformation served a double purpose in checking this tendency to dangerous speculation. It destroyed the hard-and-fast lines of the rigid scholastic theology, and gave to active intellects a wide field for discussion within the limits of the Christian faith. The assaults of Luther and Melanchthon and Calvin were not to be met with the dialectics of the schools, but with a freer and wider scope of reasoning. The worn-out debates over Aristotle and Alexander and Averrhoes, over Nominalism and Realism, were replaced with new systems of Scriptural exegesis and an earnest inquiry into man's place in the universe and his relations to his fellows and to his God. Then the counter-Reformation aroused a zeal which could no longer tolerate the philosophical quodlibets leading to speculations adverse to the received faith. Servetus and Giordano Bruno belong to a period beyond our present limits, but their fate shows how little either Protestant or Catholic, in the fierce strife which enkindled such uncompromising ardor, were disposed to listen to philosophical discussions upon religious beliefs.

Before leaving this branch of our subject we must recur to the curious episode of the career of Raymond Lully, the *Doctor Illuminatus*, of whom Padre Feyjoo truly says, "Raymond Lully, looked upon from every side, is a very problematical object. Some make him a saint, others a heretic; some a most learned man, others an ignoramus; some regard him as illuminated, others as hallucinated; some attribute to him a knowledge of the transmutation of metals, others deny it; finally, some applaud his *Ars Magna*, others depreciate it." *

This enigmatical being was born in Palma, the capital of Majorca, January 25, 1235. Sprung from a noble family, he was bred in the royal court, where he rose to the post of seneschal. He married and had children, but followed a gay and dissolute career until, like Peter Waldo and Jacopone da Todi, he was suddenly converted by an experience of the nothingness of life. He was madly in love with Leonor del Castello, and his reckless temper manifested itself by pursuing her on horseback into the church of Santa Eulalia during a Sunday service, to the great scandal of priest and congregation. To rid herself of such importunate pur-

* Cartas de D. Fr. Feyjoo, Carta xxii. (T. I. p. 180).

suit, Leonor, with consent of her husband, exhibited to him her bosom, which was ravaged by a foul and mortal cancer. The shock brought to him so profound a recognition of the vanity of earthly things that he renounced the world and distributed his wealth in charity, after making provision for his family; and the same indomitable ardor which had rendered him extravagant in his pleasures sustained him to the end in his new vocation. Thenceforth he devoted his life to the rescue of the Holy Sepulchre, to the conversion of the Jews and Saracens, and to the framing of a system which should demonstrate rationally the truth of the Christian faith, and thus overcome the Averrhoism in which he recognized its most dangerous adversary.*

Ten years or more were spent in preparation for this new career. We hear of a pilgrimage to Compostella in 1266, and of his retirement to the Monte de Randa, near Palma, in 1275. He was so ignorant of letters that he was not even acquainted with Latin, the key to all the knowledge of the age. This he studied, and also Arabic, from a Saracen slave purchased for the purpose, and the earnest labors of an indefatigable mind can account for the enormous stores of learning which he subsequently displayed; so wonderful that to his followers they appeared necessarily the result of inspiration. In his retreat on Monte de Randa, where he conceived his *Ars Universalis*, he is said to have had repeated visions of Christ and the Virgin, which illuminated his mind; and the mastic-tree under which he habitually wrote bore testimony to the miracle, in its leaves inscribed with Latin, Greek, Chaldee, and Arabic characters. It continued to put forth such leaves. In the seventeenth century Vicente Mut vouches for the fact, and says he has some of them, while Wadding tells us that in his time they were carried to Rome, where they excited much wonder. When his work was completed an angel in the guise of a shepherd appeared, who kissed the book many times, and predicted that it would prove an invincible weapon for the faith.†

Emerging from his retreat, for forty years he led a wandering

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* Historia General de Mallorca, III. 40-2 (Palma, 1841).—Pelayo, Heterodoxos Españoles, I. 514-15.—Nic. Anton. Bibl. Hispan. Lib. IX. c. iii. No. 73.

† Mariana, Hist. de España, Lib. XV. c. 4.—Hist. Gen. de Mallorca, I. 601, III. 44-6.—Nic. Anton. l. c. No. 74.—Wadding, ann. 1275, No. 12.

life of incessant activity, now stimulating popes and kings to renewed crusades, or to found colleges of the Oriental tongues to aid in missionary labors, now pouring forth volume after volume with incredible fecundity, now disputing and teaching against Averrhoism at Montpellier, Paris, and elsewhere, and now venturing himself among the infidel to spread among them the light of Christianity. In any one of these fields of action his labors would seem enough to exhaust the energies of an ordinary man. While on his way, in 1311, to the Council of Vienne, with projects for founding schools of Oriental tongues, for uniting in one all the military Orders, for a holy war against the infidel, for suppressing Averrhoism, and for teaching his art in all universities, he summed up his life: "I was married and a father, sufficiently rich, worldly, and licentious. For the honor of God, for the public weal, and for the advancement of the faith I abandoned all. I learned Arabic, and I have been repeatedly among the Saracens to preach to them, where I have been beaten and imprisoned. For forty-five years I have labored to excite the rulers of the Church and the princes of Christendom for the public good. Now I am old, I am poor, and I still have the same purpose, which, with the help of God, I will retain till I die." At Vienne his only success was in obtaining a decree founding schools of Hebrew, Arabic, and Chaldee in the papal court and in the Universities of Paris, Oxford, Bologna, and Salamanca. Thence he went, for the second time, to Algiers, where, at Bugia, he made many converts, until thrown into prison and starved; then he was released and ordered out of the country, but continued proselyting. With wonderful forbearance the Moors contented themselves with placing him on board a ship bound for Genoa, and warning him not to return. Shipwrecked in sight of land, he saved his life by swimming, but lost his books. Determined to win the palm of martydom, in August, 1314, he again embarked at Palma for Bugia. Promptly recognized, he was thrown into jail, beaten, and starved; but in prison he continued to preach to his fellow-captives, until the Moors, finding him unconquerable, took him out, June 30, 1315, and stoned him. Some Genoese merchants about to sail carried his yet breathing body on board their ship and laid their course for Genoa, but to their surprise found themselves at the entrance of the port of Palma. In vain they endeavored to leave the spot till, recognizing

the will of Heaven, they carried the body ashore. Immediately it shone in miracles, and the cult of the martyr began. In 1448 a splendid chapel was erected in his honor in the church of the Franciscans, of which Order he was a Tertiary, and another one was dedicated to him in the beginning of the seventeenth century. In 1487 his bones were deposited in a richly carved alabaster urn, standing in a niche in the church-wall over an elaborate sepulchral monument, where they still remain.*

Slender were the results achieved at the moment by the self-devotion of this noble and indefatigable intellect. Averrhoism continued to gain strength, the Christian princes could not be stimulated to a new crusade, the conversion of Jew and infidel made no progress, and the only reward of labor so strenuous and so prolonged were Oriental schools established in Majorca and Sicily, and the foundation of others commanded by the Council of Vienne. Yet the prodigious literary activity of Lully left behind him a mass of writings destined to exercise no little influence on succeeding generations. He was perhaps the most voluminous author on record. Juan Llobet, who in the middle of the fifteenth century taught the Art of Lully in the University of Palma, had read five hundred of his books; some authors assert that their total number reached a thousand, others three thousand. Many have been lost, many spurious ones have been attributed to him, and the bibliography of his works is hopelessly confused; but Nicolas Antonio, after careful sifting, gives the titles of three hundred and twenty-one which may safely be ascribed to him. Of these there are sixty-one on the art of learning and general subjects, four on grammar and rhetoric, fifteen on logic, twenty-one on philosophy, five on metaphysics, thirteen on various sciences—astrology, geometry, politics, war, the quadrature of the circle, and the art of knowing God through grace—seven on medicine, four on law, sixty-two on spiritual contemplation and other religious subjects, six on homiletics, thirteen on Antichrist, the acquisition of the Holy Land, and other miscellaneous subjects, forty-six controversial works against Saracens, Jews, Greeks, and Averrhoists, and sixty-four on theology, embracing the most abstruse points,

* Wadding. ann. 1293, No. 3; ann. 1215, No. 2, 5.—C. 1 Clement. v. 1.—Nic. Anton. l. c. No. 76.—Hist. Gen. de Mallorca, II. 1058–9, 1063; III. 64–5, 72.

and religious poetry. The great collective edition of his works printed in Mainz from 1721 to 1742 forms ten folios. Like all other great scholars of his day, his name was a convenient one to affix to books on alchemy and magic, but all such are supposititious. His reputation as an alchemist is seen in the tradition that in England he made six million gold florins, and gave them to the king to stimulate him to a crusade, but his own opinion of alchemy is expressed in a passage of his *Ars Magna:* "Each element has its own peculiarities so that one species cannot be transmuted to another, wherefore the alchemists grieve and have occasion to weep," and in other equally outspoken expressions.*

For our purpose we need consider but one phase of his marvellous productiveness. In the solitude of Monte de Randa he conceived the Art which passes by his name—a method in which, by diagrams and symbols, the sublimest truths of theology and philosophy can be deduced and memorized. Of this the *Ars Brevis* is a compend, while the *Ars Magna* describes it in greater detail and proceeds to build upon it a system of the universe. As the product of a man untinctured with culture till after the age of thirty it is a wonderful performance, revealing a familiar acquaintance with all the secrets of the material and spiritual worlds, the powers, attributes, motives, and purposes of God and his creatures logically deduced, which the Lullists might well hold to be inspired. This Art he himself taught at Montpellier and Paris, and in 1309 forty members of the latter University joined in a cordial recommendation of it as useful and necessary for the defence of the faith. At home it had great and enduring vogue. Favored by successive monarchs, it was taught in the Universities of Aragon and Valencia. In the middle of the fifteenth century the Estudio Lulliano was founded at Palma, subsquently enlarged into the Universidad Lulliana, where the tradition of his teaching was preserved almost to our own days. Cardinal Ximenes was its great admirer; Angelo Politiano says that to it he owed his ability to dispute on any subject; Jean Fabre d'Etaples prized it

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* Nic. Anton. l. c. No. 87-154.—Hist. Gen. de Mall. III. 68, 70, 96-8.—R. Lullii Art. Mag. P. IX. c. 52 (Opp. Ed. Argentorati, 1651, p. 438).

For an account of Lully's poetical works, see Chabaneau (Vaissette, Éd. Privat, X. 379).

highly, as likewise did other men of note. On the other hand, it was condemned by Gerson and its use forbidden in the University of Paris; it was ill thought of by Cornelius Agrippa and Jerome Cardan; and Mariana tells us that in his time many considered it useless and even harmful, while others praised it as a gift from heaven to remedy ignorance, and in 1586 its use was prohibited in the University of Valencia.*

In this and in many of his other works Lully's object was to prove by logical processes of thought the truths of Christianity and the positions of theology. We have already seen how the Church recognized the risk involved in this and forbade it, and Lully felt that he was treading on dangerous ground. He therefore lost no opportunity of declaring that faith is superior to reason, and that they were mistaken who held that faith proved by reason lost its merit. Devoting his life to combating Averrhoism and converting the infidel, he had felt that Christianity could only be spread by argument—that to convert men he had to convince them. Without this the work must stop, and he urged that the heathen might logically complain of God if it were impossible to convince their reason of the truth.† It was the same effort as that made two centuries later by Savonarola in his *Crucis Triumphus*, to combat the incredulity of the later Averrhoists and of the Renaissance.

The result showed the danger which lurked in his single-minded efforts. As his reputation spread and his disciples multiplied, Nicholas Eymerich, the Inquisitor of Aragon, to whom I have so often had occasion to refer, undertook to condemn his memory. Perhaps among the Lullists there were men whose zeal outran their discretion. Eymerich speaks of one, named Pedro Rosell, whose errors are a curious echo of the Joachites and Olivists, for he taught that, as the doctrine of the Old Testament was attributable to the Father and that of the New to the Son, so was that of Lully to the Holy Ghost, and that in the time of Antichrist

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* Hist. Gen. de Mall. III. 71, 78.—Pelayo, I. 530, 535, 537, 539.—Nic. Anton. l. c. No. 82.—Gersoni Epist. ad. Bart. Carthus; Ejusd. De Exam. Doctr. P. II. Consid. 1.—Corn. Agrippæ de Vanitate Scient. c. 9.—Hieron. Cardan. de Subtil. Rer. Lib. XV.—Mariana, Lib. XV. c. 4.

† Pelayo, I. 519-23.—R. Lullii Lamentat. Philosoph.

all theologians would apostatize, when the Lullists would convert the world, and all theology but that of their master would disappear. Perhaps also, Eymerich, as a Dominican, was eager to attack one in whom the Franciscans gloried as one of their greatest sons. Doubtless, too, there is truth in the assertion of the Lullists that their defence of the Immaculate Conception rendered Eymerich desirous of suppressing them. Be this as it may, in a mass of writings embracing every conceivable detail of doctrine and faith, set forth with logical precision, it was not difficult for an expert to find points liable to characterization as errors. A royal privilege for the teaching of Lullism, issued by Pedro IV. in 1369, shows that already opposition had been aroused, and in 1371 Eymerich went to Avignon, where he obtained from Gregory XI. an order for the examination of Lully's writings. On his return the king peremptorily forbade the publication of the papal mandate, but the irrepressible inquisitor in 1374 sent twenty of the inculpated books to Gregory, and in 1376 he had the satisfaction of exhibiting a bull reciting that these works had been carefully investigated by the Cardinal of Ostia and twenty theologians, who had found in them two hundred (or, according to Eymerich, five hundred) errors manifestly heretical. As the rest of Lully's writings must presumably be erroneous, the Archbishop of Tarragona was ordered to cause all of them to be surrendered and sent to Rome for examination. Then King Pedro again interposed, and asked the pope to have any further proceedings carried on in Barcelona, as Lully's works were mostly in Catalan, and could best be understood there.*

Eymerich triumphed for a time, and in his *Directorium Inquisitorum* he gives full rein to his hatred. Lully, he says, was taught his doctrine by the devil, but, to avoid prolixity, he enumerates only a hundred of the five hundred errors condemned by Gregory. Some of these trench on mystic illuminism, others are merely extravagant modes of putting ordinary propositions. For the most part they hinge on the assertion, condemned in the ninety-sixth error, "that all points of faith and the sacraments and the power of the pope can be and are proved by reasoning, neces-

* Pelayo, I. 499, 528.—Hist. Gen. de Mall. III. 85.—D'Argentré I. i. 256–7, 259—Pegnæ Append. ad Eymeric. pp. 67–8.—Bofarull, Documentos, VI. 360.

sary, demonstrative, and evident;" for they consist of efforts to define logically the mysteries of faith in a manner of which conceptions so subtle are incapable. Two or three, however, are manifestly heretical—that faith can err, but not reason, that it is wrong to slay heretics, and that the mass of mankind will be saved, even Jews and Saracens who are not in mortal sin. The Lullists had not been disposed to submit quietly. Eymerich describes them as numerous and impudent, and guilty of the error of holding that Gregory erred grossly in condemning their master, whose doctrine had been divinely revealed and excelled all other doctrine, even that of St. Augustin; that it is not to be gained by study, but by the inspiration of the Holy Ghost, in thirty, forty, fifty, or sixty hours; that modern theologians know nothing of true theology, for, on account of their sins, God has transferred all knowledge to the Lullists, who are to constitute the Church in the times of Antichrist.*

There was in all this evidently the material which only needed nursing and provocation to develop into a new and formidable heresy under inquisitorial methods. Fortunately the king and a large part of the population were in sympathy with the Lullists; the Great Schism broke out in 1378, and Don Pedro acknowledged neither Urban VI. nor Clement VII. The kingdom was thus virtually independent; the Lullists boldly claimed that the bull of Gregory XI. had been forged by Eymerich; in 1385 an investigation was held which resulted in driving him from Aragon, when he was succeeded by his enemy, Bernardo Ermengaudi, who was devoted to the king, and who hastened to make a formal declaration that in Lully's *Philosophia Amoris* there were not to be found the errors attributed to it by Eymerich. The banishment of the latter, however, did not long continue. He returned and resumed his office, which he exercised with unsparing rigor against the Lullists. This excited considerable commotion. In 1391 the city of Valencia sent to the pope Doctor Jayme de Xiva to com-

* Eymeric. Direct. pp. 255–61.

Pegna says (p. 262) that in the MSS. of Eymerich's work the list of errors is fewer than in the printed text, and this is confirmed by Father Denifle (Archiv. für Litt.- u. K. 1885, p. 143). Apparently the Dominicans of the fifteenth century, when they printed the *Directorium*, interpolated errors to aid them in the controversy over Lully.

plain of Eymerich's enormous crimes, and to supplicate his removal. The envoy stopped at Barcelona to solicit the co-operation of that powerful community, and the town council, after listening to him, resolved that if the action of Valencia was general and not special, they would make "one arm and one heart" with their sister city; and, moreover, they begged the pope to command some prelate of the kingdom to examine and declare, under papal authority, whether the articles attributed to Lully had been justly or unjustly condemned by Eymerich.*

The popular effervescence grew so strong that in 1393 Eymerich was again banished by Juan I. He ended his life in exile, maintaining to the end the enormity of Lully's heresy and the genuineness of Gregory's bull. Antonio Riera, a Lullist who was active in the matter, he denounced as a heretic who foretold that before the end of the century all divine service would cease, and churches be converted into stables, and the laws of Christian, Jew, and Saracen would be converted into one; but which of these three it would be he could not tell. Meanwhile, in 1395, the Holy See granted the prayer of the Lullists for an examination, and the Cardinal de San Sexto was sent as special commissioner for the purpose. Gregory's registers for 1386 were carefully examined, and the archivists testified that no record of the bull in question could be found. Still the question would not remain settled, for the honor of the Dominican Order and the Inquisition was at stake, and again, in 1419, another investigation was held. The papal legate, Cardinal Alamanni, deputed Bernardo, Bishop of Città di Castello, to examine the matter definitely. His sentence pronounced the bull to be evidently false, and all action taken under it to be null and void, but expressed no opinion on the writings of Lully, which he reserved for the decision of the Holy See. From that time forth the genuineness of the bull remained a matter hotly contested. Father Bremond prints it as authentic, and declares that after a dispassionate examination he is convinced that it is so; that the original autograph is preserved in the archives at Girona, and he quotes Bzovius to the effect that the Lullists themselves admit that it is in the archives of Barcelona, Tarragona, and Valencia, whose bishops would not have admitted

* D'Argentré I. i. 258, 260.—Hist. Gen. de Mall. III. 82-4.—Pelayo, I. 784-5.

it if false; but Bzovius was a Dominican whose bitterness on the subject is seen in his stigmatizing Lully as a vagabond swindler. Certain it is that in the prolonged and ardent contest which raged over the question of Lully's orthodoxy in the papal court, the Dominicans, with successive popes on their side, were never able to produce the original nor offer any evidence of its authenticity.*

In Aragon the decision of 1419 was regarded as settling the question. Royal letters in favor of Lullism were issued by Alonso V. in 1415 and 1449, by Ferdinand the Catholic in 1483 and 1503, by Charles V. in 1526, and by Philip II. in 1597; the latter monarch, indeed, had great relish for Lully's writings, some of which he habitually carried with him on his journeys to read on the way, and in the library of the Escorial many copies of them were found annotated with his own hand. This royal favor was needed in the curious controversy which followed. Lully's name had passed into the received catalogues of heretics, and as late as 1608 it was included in the list published by the Doctor of Sorbonne, Gabriel du Préau. Paul IV., in 1559, put it in the first papal *Index Expurgatorius*. When this came to be published in Spain, Bishop Jayme Cassador and the inquisitors suspended it and referred the matter to the *consejo de la suprema*, which ordered the entry to be *borrado*, or expunged. At the Council of Trent, Doctor Juan Villeta, acting for Spain, presented a petition in favor of Lully, which was considered in a special congregation, September 1, 1563, and a unanimous decision was reached, confirming all the condemnations passed on Eymerich for falsehood, and ordering the Index of Paul IV. to be expurgated by striking out all that related to Lully. This was a secret determination of the council, and was not allowed to appear in the published acts. It settled the matter for a time, but the question was revived in 1578, when Francisco Pegna reprinted Eymerich's book with the special sanction of Gregory XIII., bringing anew before the world the bull of Gregory XI. and the errors condemned in Lully's writings. Gregory XIII. ordered Pegna to examine the papal registers for the contested bull. Those in Rome were found imperfect, and the missing portions were sent for from Avignon, but the most

* Hist. Gen. de Mall. III. 59, 83–6.—Pelayo, I. 498, 787–88.—D'Argentré I. 1. 259–61.—Nic. Anton. l. c. No. 78.—Ripoll II. 290.

diligent search failed to find the desired document, though it was alleged that two volumes of the year 1386 could not be found. Battle was now fairly joined between the partisans of Eymerich and those of Lully. In 1583 the Congregation of the Index determined to include Lully among the prohibited writers, but again Spanish influence was strong enough to prevent it. Under Sixtus V. there was another attempt, but Juan Arce de Herrera, in the name of Philip II., presented an *Apologia* to the Congregation of the Index, and again the danger was conjured. When the Index of Clement VIII. was in preparation the question was again taken up, June 3, 1594, and rejected out of respect for Spain; at the request of the Spanish ambassador the pope was asked to order a complete set of Lully's works to be sent to Rome for examination, that the matter might be definitely settled; but this was not done, and in March, 1595, it was announced that his name was omitted from the Index. In 1611 Philip III. revived the controversy by applying to Paul V. for the canonization of Lully and the expurgation of Eymerich's *Directorium;* a request which was repeated by Philip IV. After a confused controversy, it was determined that certain articles admittedly extracted from his books were dangerous, audacious, and savoring of heresy, and some of them manifestly erroneous and heretical. At a sitting, under the presidency of the pope himself, held August 29, 1619, it was resolved to send this censure to the Spanish nuncio, with instructions to inform the king and the inquisitors that Lully's books were forbidden. Then came an appeal from the kingdom of Majorca begging that the books might be corrected, to which Paul replied, August 6, 1620, imposing silence; and on August 30 Cardinal Bellarmine drew up for the Inquisition a final report that Lully's doctrine was forbidden until corrected, adding his belief that correction was impossible, but that the condemnation was thus phrased so as to mitigate its severity. Thus Lully was branded by the Holy See as a heretic, but, out of respect for the Spanish court, the sentence was never published: the matter was supposed by the public to be undecided, and the worship of him as a saint continued uninterruptedly. Raynaldus, in fact, writing in 1658, states that the question is still *sub judice.* About the same time certain Jesuits took up his cause against the Dominicans, and in 1662 a translation of his "Triumph of Love" appeared in Paris, on the title of

which he was qualified as "Saint Raymond Lully, Martyr and Hermit." The Dominican ire was aroused: appeal was made to the Congregation of Rites, which reported that Lully was included in the Franciscan martyrology under March 29, but that he must not be qualified as a saint, and that a careful examination should be made of his works, to prohibit them if necessary—a recommendation which was never carried out. Yet when, in 1688, Doctor Pedro Bennazar issued at Palma a book in praise of Lully, it was condemned by the Inquisition in 1690; and a compendium of his theology, by Sebastian Krenzer in 1755, was put on the Index, although this was not done with the numerous controversial writings which continued to appear, nor with the great edition of his works published from 1721 to 1742, in the title of which he was qualified as *Beatus*. Benedict XIV., in his work *De Servorum Dei Beatificatione*, after carefully weighing the authorities on both sides, says that his claims to sanctity are to be suspended until the decision of the Holy See. That decision was postponed for a century. In 1847 Pius IX. approved an office of "the holy Raymond Lully" for Majorca, where he had been immemorially worshipped; the office reciting that so fully was he imbued with the divine wisdom that he who had previously been uncultured was enabled to discourse most excellently on divine things. In 1858, moreover, Pius permitted the whole Franciscan Order to celebrate his feast on November 27. Yet the Dominicans had not forgotten their old rancor, for in 1857 there appeared in a Roman journal, published under the approbation of the Master of the Sacred Palace, an argument to prove that the alleged bull of Gregory XI. is still in force, and consequently that Lully's books are forbidden, although they do not appear in the Index. This case and that of Savonarola serve to indicate how dangerously nebulous are the boundaries between heresy and sanctity.*

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* Hist. Gen. de Mall. III. 65–6, 92, 94–5.—Gabrieli Prateoli Elenchus Hæret. Colon. 1608, p. 423.—D'Argentré I. i. 259, 261.—Reusch, Der Index der verbotenen Bücher, I. 27–33.—Benedict. PP. XIV. De Servorum Dei Beatif. Lib. I. c. xl. § 4.—Raynald. ann. 1372, No. 35.

In 1533 Arnaldo Albertino, Inquisitor of Valencia, complained bitterly of the injustice which ranked as a heretic such a man as Lully, who was inspired by

The example of Raymond Lully illustrates the pitfalls which surrounded the footsteps of all who ventured on the dangerous path of theology. That science assumed to know and define all the secrets of the universe, and yet it was constantly growing, as ingenious or daring thinkers would suggest new theories or frame new deductions from data already settled. Hosts of these were condemned; the annals of an intellectual centre like the University of Paris are crowded with sentences pronounced against novel points of faith and their unlucky authors. Occasionally, however, some new dogma would arise, would be vehemently debated, would refuse to be suppressed, and would finally triumph after a more or less prolonged struggle, and would then take its place among the eternal verities which it was heresy to call in question. This curious process of dogmatic evolution in an infallible Church is too instructive not to be illustrated with one or two examples.

It might seem a question beyond the grasp of finite intelligence to determine whether the souls of the blessed are wafted to heaven and at once enjoy the ineffable bliss of beholding the Divine Essence, or whether they have to await the resurrection and the Day of Judgment. This was not a mere theoretical question, however, but had a very practical aspect, for in the existing anthropomorphism of belief, it might well be thought that the efficacy of the intercession of saints depended on their admission to the presence of God, and the guardians of every shrine boasting of a relic relied for their revenues on the popular confidence that its saint was able to make personal appeals for the fulfilment of his worshippers' prayers. The desired conclusion was only reached by gradual steps. The subject was one which had not escaped the attention of the early Fathers, and St. Augustin assumes that the full fruition of the Vision of God can only be enjoyed by the soul after it has been clothed in the resurrected body. Among the errors condemned in 1243 by Guillaume d'Auvergne and the University of Paris were two, one of which held that the Divine Essence is not and will not be seen by either

God and was rather to be worshipped as a saint.—Albertini Repetitio nova, Valentia, 1534, col. 406.

The publication of a complete critical edition of Lully's works has recently been commenced at Padua by D. Jerón. Roselló, under the patronage of the Archduke Ludwig Salvator of Austria.

angels or glorified souls; the other, that while angels dwell in the empyrean heaven, human souls, even including the Virgin, will never advance beyond the aqueous heaven. The decision of the bishop and University was cautious as regards the Divine Vision, which was only asserted in the future and not in the present tense, both as regards angels and human souls, but there was no hesitation in declaring that all occupied the same heaven. Thomas Aquinas argues the question with an elaborateness which shows both its importance and its inherent difficulty, but he ventures no further than to prove that the Blessed will, after the resurrection, enjoy the sight of God, face to face. It must be borne in mind that the prevalent expectation in each successive generation that the coming of Antichrist and the second advent were not far off, rendered of less importance the exact time at which the Beatific Vision would be bestowed, while the development of mystic theology tended to bring into ever more intimate relations the intercourse between the soul and its Creator. Bonaventura does not hesitate to treat as an accepted fact that the souls of the just will see God, and he asserts that some of them are already in heaven, while others wait confidently in their graves for the appointed time. The final step seems to have been taken soon after this by the celebrated Dominican theologian, Master Dietrich of Friburg, who wrote a tract to prove that the Blessed are immediately admitted to the Beatific Vision, a fact revealed to him by one of his penitents who, by order of God to solve his doubts, appeared to him ten days after death and assured him that she was in sight of the Trinity.*

Yet the doctrine was not formally accepted by the Church, and the mystical tendencies of the time rendered dangerous a too rapid progress in this direction. The Illuminism of the Brethren of the Free Spirit was a contagious evil, and the Council of Vienne in 1312 refrained from an expression of opinion on the subject, except to condemn the error of the Beghards, that man does not

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* S. Augustin, De Genesi ad litteram Lib. XII. c. 35, 36; De Civ. Dei Lib. XXII. c. 29. Cf. De Doctr. Christ. Lib. I. c. 31; Epistt. CXVIII. § 14, CLXIX. § 3 (Ed. Benedict.).—Matt. Paris ann. 1243 (p. 415).—Th. Aquinat. Sum. Suppl. Q. XCII. —S. Bonavent. Breviloq. VII. 5, 7; Centiloq. III. 50; Pharetræ IV. 50.—W. Preger, Zeitschrift für die histor. Theol. 1869, pp. 41–2.

need the light of glory to elevate him to the sight of God—thus only by implication admitting that with the light of glory the soul is fitted to enjoy the Beatific Vision. When and how the dogma spread that the souls of the just are admitted at once to the presence of God does not appear, but it seems to have become generally accepted without any definite expression of approbation by the Holy See. In October, 1326, John XXII. treats as a heresy to be extirpated among the Greeks the belief that the saints will not enter paradise until the Day of Judgment, but not long afterwards he changed his mind, and his pride in his theological skill and learning would not let him rest until he had forced Christendom to change with him. He expressed his doubts as to the truth of the new dogma and indicated an intention of openly condemning it. His temper rendered opposition perilous, and none of the cardinals and doctors of the papal court dared to discuss it with him until, in 1331, an English Dominican, Thomas Walleys, in a sermon preached before him, boldly maintained the popular opinion and invoked the divine malediction on all who asserted the contrary. John's wrath burst forth. Walleys was seized and tried by the Inquisition, cast into jail and almost starved to death, when Philippe de Valois intervened and procured his liberation. Having thus silenced his opponents, John proceeded to declare his opinions publicly. In the Advent of 1331 he preached several sermons in which he asserted that the saints in heaven will not have distinct vision of the Divine Essence before the Resurrection of the body and the Day of Judgment, until which time they will only see the humanity of Christ. "I know," he said, "that some persons murmur because we hold this opinion, but I cannot do otherwise." *

It shows the peculiar condition of the human mind engendered by the persecution of heresy that this was a political event of the gravest importance. We have seen how much stress was laid, in the quarrel between the empire and papacy, upon John's innova-

* C. 3, Clem. v. iii.—Ripoll II. 172.—Wadding. ann. 1331, No. 5.—Paul Lang. Chron. Citicens. (Pistor, I. 1207, 1210).—Gob. Person. Cosmodr. Æt. VI. c. 71.—D'Argentré I. I. 315 sqq.—P. de Herenthals Vit. Joann. XXII. ann. 1333 (Muratori S. R. I. III. II. 501).—Guill. Nangiac. Contin. ann. 1331.—Villani, X. 226.—Chron. Glassberger ann. 1331.

tion on the accepted belief as to Christ's poverty, and the manner in which his resolute purpose had carried that dogma against all opposition. On this occasion he was the conservator of the previously received faith of the Church, but the political conjuncture was against him. Not only was Louis of Bavaria consolidating the empire in resistance to the aggressiveness of the papacy, but France, the main support of the Avignonese popes, was indisposed. Philippe de Valois had been offended by the rejection of his excessive demands in compensation of fulfilling his vows of a new crusade, and had been alienated by John's yielding to the schemes of John of Bohemia, who was endeavoring to secure the imperial territories in Italy. Both monarchs took active steps to turn to the fullest account the papal heresy. It was a received principle that, as a dead man was no longer a man, so a pope detected in heresy was no longer a pope, seeing that he had *ipso facto* forfeited his office. Nothing better could serve the purpose of Louis of Bavaria and his junto of exiled Franciscans. Under the advice of Michele da Cesena he took steps to call a German national council, for which Bonagrazia drew up a summons based upon the papal heresy, and the plan was approved by Cardinal Orsini and his dissatisfied brethren. This came to nought, however, through the still greater promptness of Philippe de Valois to avail himself of the situation. He made the celebrated William Durand, Bishop of Mende, write a treatise in opposition to the papal views, and protected him when John sought to punish him. He assembled the University of Paris, which, January 3, 1333, pronounced emphatically in favor of the Beatific Vision, and addressed to the pope a letter asserting it without equivocation. Gerard Odo, the time-serving Franciscan General, was despatched, ostensibly to make peace between England and Scotland, but instructed to dally in Paris and endeavor to win over public opinion. He ventured to preach in favor of John's conservative views, but only succeeded in arousing a storm before which he was forced to bow and humbly to declare that his argument was only controversial and not assertive. Philippe took the boldest and most aggressive position. He wrote to John that to deny the Beatific Vision was not only to destroy belief in the intercession of the Virgin and saints, but to invalidate all the pardons and indulgences granted by the Church, and so firmly was

he convinced of its truth that he would take steps to burn all who denied it, including the pope himself. Even Robert of Naples joined in remonstrance. Haughty and obstinate as John had proved himself, he could not resist single-handed the indignation of all Europe, and he yielded. He purchased peace by political concessions, and wrote humbly to Philippe and Robert that he had never positively denied the Beatific Vision, but had treated it simply as an open question, subject to discussion. Even this was not enough. All his ambitious schemes had broken down. In Germany, Louis of Bavaria was posing as the defender of the faith. In France, even the weak Philippe de Valois had resumed his ascendency over Avignon. In Italy, John's son, Cardinal Bertrand, had been forced to fly, and Lombardy had freed itself. For the wretched old man there was nothing left but to recant and die. He had convoked a consistory for December 2, 1234, to choose a successor to Louis of Bavaria, but before daybreak he was seized with a fatal flux which stretched him hopeless on his bed. Towards evening of the next day he assembled the cardinals and exhorted them to select a worthy successor to the chair of St. Peter, when his kindred urged him to save his soul and the reputation of the Church by withdrawing from his opinions as to the Beatific Vision. The secrets of that awful death-bed have never been revealed, but after he passed away on the 5th, a bull was promulgated over his name in which he professed his belief as to the Divine Vision, and, if he had in that or anything else held opinions in conflict with those of the Church, he revoked all that he might have said or done, and submitted himself to its judgment. Humiliating as was this, Michele da Cesena pronounced it insufficient, as he made no formal confession of error and recantation, whence it was to be inferred that he died a contumacious heretic. Even Paris was not satisfied, although conclusions were not expressed so openly.*

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* W. Preger, Die Politik des Pabstes Johann XXII. pp. 14, 66, 69.—Alphons. de Spina Fortalic. Fidei Lib. II. Consid. xii.—Vitodurani Chron. (Eccard. Corp. Hist. I. 1806-7).—Martene Thesaur. I. 1383.—D'Argentré I. 1. 316-17, 319-22.—Isumbert, Anc. Loix Franç. IV. 387.—Guillel. Nangiac. Contin. ann. 1333.—Raynald. ann. 1334, No. 27, 37, etc.—Wadding. ann. 1334, No. 14.—Villani, XI. 19.—Baluz. et Mansi, III. 350.—Grandes Chroniques, ann. 1334 (V. 37).

Benedict XII., who was elected December 20, was a zealous defender of the faith who had manifested his determination to extirpate all forms of heresy when, as Bishop of Pamiers, he had personally conducted for years a very active episcopal Inquisition in co-operation with the labors of Jean de Beaune and Bernard Gui. Such a man was not likely to underrate the importance of his predecessor's error, and in fact he lost no time in correcting it. On the 22d a significant threat to Gerard Odo to beware, for he would tolerate no heresy, was a notice to all who had yielded to John's imperiousness. On February 2, 1335, he preached a sermon on the text, "Behold, the bridegroom cometh," in which he clearly enunciated the doctrine that the saints have a distinct vision of the Divine Essence. Two days later he summoned before the consistory all who had given in their adhesion to the opinion of John and demanded a statement of their motives, by way, we may presume, of admitting them back into the fold as easily as possible. A twelvemonth later, January 29, 1336, he held a public consistory in which he published decisively that the saints enjoy the Beatific Vision, and decreed that all holding the contrary opinion should be punished as heretics. Benedict had earned the reputation of a ruthless upholder of orthodoxy and persecutor of dissent, and no victims were necessary to enforce the reception of the new article of faith. So thoroughly was it received that it passed into the formulas of the Inquisition as one of the points on which all suspected heretics were interrogated; and when, at the Council of Florence, in 1439, a nominal union was patched up with the Greek Church, one of the articles enunciated for the acceptance of the latter asserts that souls which after baptism incur no sin, or after sinning have been duly purged, are received at once into heaven and enjoy the sight of the Triune God. Thus a new dogma was adopted by the Church in spite of the opposition of one of the most arbitrary and headstrong of the successors of St. Peter.*

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* Molinier, Etudes sur quelques MSS. des Bibliothèques d'Italie, p. 116.—Chron. Glassberger ann. 1334.—Benedict. XII. Vit. Tert. ann. 1335-6 (Muratori S. R. I. III. II. 539-41).—Ejusd. Vit. Prim. ann. 1338 (Ibid. p. 534).—Eymeric. p. 421.—Concil. Florent. ann. 1439 P. II. Union. Decret. (Harduin. IX. 986).

A remark of Æneas Sylvius in 1453 shows that, notwithstanding these au-

An even more instructive instance of the development of theological doctrine is to be found in the history of the dogma of the Immaculate Conception of the Virgin. Up to the twelfth century it was not questioned that the Virgin was conceived and born in sin, and doctors like St. Anselm found their only difficulty in explaining how Christ could be born sinless from a sinner. With the growth of Mariolatry, however, there came a popular tendency to regard the Virgin as free from all human corruption, and towards the middle of the twelfth century the church of Lyons ventured to place on the calendar a new feast in honor of the Conception of the Virgin, arguing that as the Nativity was feasted as holy, the Conception, which was a condition precedent to the Nativity, was likewise holy and to be celebrated. St. Bernard, the great conservative of his day, at once set himself to suppress the new doctrine. He wrote earnestly to the canons of Lyons, showing them that their argument applied equally to the nativity and conception of all the ancestors of the Virgin by the male and female lines; he begged them to introduce no novelties in the Church, but to hold with the Fathers; he argued that the only immaculate conception was that of Christ, who was conceived of the Holy Ghost, and proved that Mary, who was sprung of the union between man and woman, must necessarily have been conceived in original sin. He admitted that she was born sanctified, whence the Church properly celebrated the Nativity, but this sanctification was operated in the womb of St. Anne, even as the Lord had said to Jeremiah, "Before thou camest out of the womb I sanctified thee" (Jer. i. 5). It illustrates the recklessness of theological controversy to find St. Bernard subsequently quoted as sustaining the Immaculate Conception. Peter Lombard, the great Master of Sentences, was not willing to concede even as much as St. Bernard, and quotes John of Damascus to show that the Virgin was not cleansed of original sin until she accepted the duty of bearing Christ. To this view of the question Innocent III. lent the authority of his great name by asserting it in the most positive manner.*

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thoritative definitions, the old belief still lingered that the glory of the saints was postponed till the Day of Judgment (Opp. inedd.—Atti della Accad. dei Lincei, 1883, p. 567).

* S. Anselmi Cur Deus Homo Lib. II. c. xvi.; Ejusd. Lib. de Conceptu Virginali.

These irresistible authorities settled the question for a while as one of dogma, but the notion had attractiveness to the people, and in the constant development of Mariolatry anything which tended to strengthen her position as a subordinate deity and intercessor found favor with the extensive class to whom her cult was a source of revenue. There is something inexpressibly attractive in the mediæval conception of the Virgin, and the extension of her worship was inevitable. God was a being too infinitely high and awful to be approached; the Holy Ghost was an abstraction not to be grasped by the vulgar mind; Christ, in spite of his infinite love and self-sacrifice, was invoked too often as a judge and persecutor to be regarded as wholly merciful; but the Virgin was the embodiment of unalloyed maternal tenderness, whose sufferings for her divine Son had only rendered her more eagerly beneficent in her desire to aid and save the race for which he had died. She was human, yet divine; in her humanity she shared the feelings of her kind, and whatever exalted her divinity rendered her more helpful, without withdrawing her from the sympathy of men. "The Virgin," says Peter of Blois, "is the sole mediator between man and Christ. We were sinners and feared to appeal to the Father, for he is terrible, but we have the Virgin, in whom there is nothing terrible, for in her is the plenitude of grace and the purity of human life;" and he goes on to virtually prove her divinity by showing that if the Son is consubstantial with the Father, the Virgin is consubstantial with the Son. In fact, he exclaims, "if Mary were taken from heaven there would be to mankind nothing but the blackness of darkness." God, says St. Bonaventura, could have made a greater earth and a greater heaven, but he exhausted his power in creating Mary. Yet Bonaventura, as a doctor of the Church, was careful to limit her sinlessness to sin arising with herself, and not to include the absence of inherited sin. She was sanctified, not immaculately conceived.*

—S. Bernardi Epist. 174, ad Canon. Lugdun. — D'Argentré I. II. 60. — Pet. Lombardi Sententt. Lib. III. Dist. iii. Q. 1. — Innoc. PP. III. Sermo XII. in Purif. S. Mariæ.

* Pet. Blesens. Sermo XII., XXXIII., XXXVIII.—S. Bonavent. Speculi Beatæ Virginis c. i., ii., viii., ix.—The mediæval conception of the Virgin, as the intercessor

In spite of St. Bernard's remonstrance, the celebration of the Feast of the Conception gradually spread. Thomas Aquinas tells us that it was observed in many churches, though not in that of Rome, and that it was not forbidden, but he warns us against the inference that because a feast is holy therefore the conception of Mary was holy. In fact, he denies the possibility of her immaculate conception, though he admits her sanctification at some period which cannot be defined. This settled the question for the Dominicans, whose reverence for their Angelic Doctor rendered it impossible for them to swerve from his teachings. For a while, strange to say, the Franciscans agreed with their rivals. There is a tradition that Duns Scotus, in 1304, defended the new doctrine against the Dominicans in the University of Paris, and that in 1333 the University declared in its favor by a solemn decree, but this story only makes its appearance about 1480 in Bernardinus de Bustis, and there is no trace in the records of any such action, while Duns Scotus only said that it was possible to God, and that God alone knew the truth. There were few more zealous Franciscans than Alvaro Pelayo, penitentiary to John XXII., and he, in refuting the illuminism of the Beghards, makes use of the Virgin's conception in sin as an admitted fact which he employs as an argument; and he adds that this is the universal opinion of the received authorities, such as Bernard, Aquinas, Bonaventura, and Richard de Saint Victor, although some modern theologians, abandoning the teachings of the Church, have controverted it through a false devotion to the Virgin, whom they thus seek to assimilate to God and Christ. Yet as, about this very time, the Church of Narbonne commenced, in 1327, to celebrate the Feast of the Conception, and in 1328 the Council of London ordered its observance in all the churches of the Province of Canterbury, we see how rapidly the new dogma was spreading.*

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between God and man and the source of all good, is expressed by Fazio degli Uberti—

"Tu sola mitigasti la discordia
Che fu tra Dio e l' uomo; e tu cagione
Sei d' ogni bene che quaggiù si esordia."

* Thom. Aquin. Summ. I. ii. Q. 81, Art. 4; III. Q. 14, Art. 4, Q. 27. — D'Argentré I. i. 275. — Alvar. Pelag. de Planctu Eccles. Lib. II. Art. 52. — Chron. de Saint-

As it was impossible for the Dominicans to change their position, it was inevitable that in time the Franciscans should range themselves under the opposite banner. The clash between them first came in 1387, when the struggle was carried on with all the ferocity of the *odium theologicum*. Juan de Monçon, a Dominican professor in the University of Paris, taught that the Virgin was conceived in sin. This aroused great uproar, and he fled to Avignon from impending condemnation. Then, at Rouen, another Dominican preached similar doctrine, and, as we are told, was generally ridiculed. The University sent to Avignon a deputation headed by Pierre d'Ailly, who claimed that they procured the condemnation of Juan, but he escaped to his native Aragon, while the Dominicans of Paris declared that the papal decision had been in their favor. If the chronicler is to be believed, they preached on the conception of the Virgin in the grossest terms and indulged in the most bestial descriptions, till the fury of the University knew no bounds. The Dominicans were expelled from all positions in the Sorbonne, and the Avignonese Clement VII. was too dependent upon France to refuse a bull proclaiming as heretics Juan and all who held with him. Charles VI. was persuaded not only to force the Dominicans of Paris to celebrate every year the Feast of the Conception, but to order the arrest of all within the kingdom who denied the Immaculate Conception, that they might be brought to Paris and obliged to recant before the University. It was not until 1403 that the Dominicans were readmitted to the Sorbonne, to the disgust of the other Mendicants, who had greatly profited by their exile. It was natural that where the Dominicans had authority they should indulge in reprisals. The Lullists were ardent defenders of the Immaculate Conception, which accounts in part for the hostility which they incurred.*

Just (Vaissette, Éd. Privat, VIII. 225).—Concil. Londin. ann. 1328 c. 2 (Harduin. VII. 1538).

The epitaph of Duns Scotus gives him the credit of defending the Immaculate Conception.

"Concepta est virgo primi sine labe parentis
Hic tulit—" (Mosheim de Beghardis, p. 234.)

* Religieux de S. Denis, Hist. de Charles VI. VII. 5; VIII. 2, 14; XXIII. 5.—Pelayo, Heterodoxos Españoles, I. 536.

The University of Paris was the stronghold of the new doctrine, and as its activity and influence were greatly curtailed by the disturbances which preceded the invasion of Henry V. and by the English domination, we hear little of the question until the restoration of the French monarchy. The belief, however, had continued to spread. In 1438 the clergy and magistrates of Madrid, on the occasion of a pestilence, made a vow thereafter to observe the Feast of the Conception. The next year the Council of Basle, which had long been discussing the matter in a desultory fashion, came to a decision in favor of the Immaculate Conception, forbade all assertions to the contrary, and ordered the feast to be everywhere celebrated on December 8, with due indulgences for attendance. As the council, however, had previously deposed Eugenius IV., its utterances were not received as the inspiration of the Holy Ghost, and the doctrine, though strengthened, was not accepted by the Church. In fact, the rival Council of Florence, in 1441, in its decree of union with the Jacobines, although it spoke of Christ assuming his humanity in the immaculate womb of the Virgin, showed that this was but a figure of speech, by declaring as a point of faith that no one born of man and woman has ever escaped the domination of Satan except through the merits of Christ.*

A new article could not be introduced without creating a new heresy. Here was one on which the Church was divided, and the adherents on each side denounced the other as heretics and persecuted them as far as they dared where they had the power. In this the Dominicans were decidedly at a disadvantage, as their antagonists had greatly the preponderance and were daily growing in strength. In 1457 the Council of Avignon, presided over by a papal legate, the Cardinal de Foix, who was a Franciscan, confirmed the decree of Basle, and ordered under pain of excommunication that no one should teach to the contrary. The same year the University of Paris was informed that a Dominican in Britanny was preaching the old doctrine. Immediately it held an assembly, wrote to the Duke of Britanny asking that the friar, if

* Wadding. Addit. ad T. V. No. 16 (T. VII. p. 491); ann. 1439, No. 47-8.—Concil. Basil. Sess. XXXVI. (Harduin. IX. 1160).—Concil. Florent. Decr. pro Jacobinis (Harduin. IX. 1024-5).

guilty, should be punished as a heretic, and declared its intention of formulating an article on the dogma.*

Thus far the popes had skilfully eluded compromising themselves on the subject. In the quarrels between the Mendicant Orders they could not afford to alienate either, and we have seen how, in the wrangle over the blood of Christ, they avoided entanglements and managed to let the dispute die out. The present debate was far too bitter and too extended for them to escape being drawn in, and they endeavored to follow the same line of policy as before. In 1474 Vincenzo Bandello, a Dominican, who was subsequently general of the Order, provoked a fierce discussion on the subject in Lombardy by a book on the Conception. The strife continued for two years with so many scandals that in 1477 Sixtus IV. evoked the matter before him, when it was hotly debated by Bandello for the Dominicans, or "*Maculistæ*," and Francesco, General of the Franciscans, in defence of the Immaculate Conception. The only result seems to have been that Sixtus issued a bull ordering the Feast of the Conception to be celebrated in all the churches, with the grant of appropriate indulgences. This was a decided defeat for the Dominicans, who found it excessively galling to celebrate the feast, and thus admit before the people that they were wrong. They endeavored to elude it in some places by qualifying it as the Feast of the Sanctification of the Virgin, but this was not permitted, and they were forced to submit. In 1481, at Mantua, Frà Bernardino da Feltre was formally accused of heresy before the episcopal court for preaching the Immaculate Conception, but defended himself successfully; and the next year, at Ferrara, the Franciscans and Dominicans preached so fiercely on the subject, and denounced each other as heretics so bitterly, that popular tumults were excited. To quiet matters Ercole d'Este caused a disputation to be held before him, which proved fruitless, and Sixtus IV. was again obliged to intervene. After listening to both sides he issued another bull, in which he excommunicated all who asserted that the feast was in honor of the Sanctification of the Virgin, and also all who on either side should denounce the other as heretics.

* Concil. Avenionens. ann. 1457 (Harduin. IX. 1388).—D'Argentré I. II. 252.

† Wadding. ann. 1477, No. 1; ann. 1479, No. 17-18.—C. 1, 2, Extrav. Commun. III. xii.

As a means of evading a decision without exasperating either Order this policy was successful, but as a measure of peace it was an utter failure. Renewed disturbances forced Alexander VI. to confirm the bull of Sixtus IV., with a clause calling upon the secular arm to keep the peace, if necessary; but in France the University of Paris wholly disregarded the prescriptions of both popes and treated as heretics all who denied the Immaculate Conception. In 1495, on the Feast of the Conception, December 8, a Franciscan named Jean Grillot so far forgot his fealty to his Order as to deny the dogma in preaching in Saint-Germain l'Auxerrois. He was immediately laid hold of and so energetically handled that by the 25th of the same month he made public recantation in the same church. This put the University on its mettle, and on March 3, 1496, it adopted a statute, signed by a hundred and twelve doctors in theology, affirming the doctrine and ordering that in future no one should be admitted into its body without taking an oath to maintain it, when if he proved recreant he should be expelled, degraded from all honors, and treated as a heathen and a publican. This example was followed by the Universities of Cologne, Tübingen, Mainz, and other places, arraying nearly all the learned bodies against the Dominicans, and training the vast majority of future theologians in the doctrine. Most of the cardinals and prelates everywhere gave in their adhesion; kings and princes joined them; the Carmelites took the same side, and the Dominicans were left almost alone to fight the unequal battle. When in 1501, at Heidelberg, the Dominicans offered a disputation on the subject which the Franciscans eagerly accepted, the aspect of public opinion grew so threatening that they were obliged to get the palsgrave and magistrates to forbid it.*

So sensitive did the supporters of the Immaculate Conception become that a Dominican preaching on December 8 had needs be wary in the allusions to the Virgin which were unavoidable on that day of his humiliation. At Dieppe, on the feast of 1496, Jean de Ver, a Dominican, made use of expressions which were thought to oppose the dogma indirectly; he was at once brought to account and forced to confess publicly, and swear that in future

* D'Argentré I. II. 331–5, 342–3.—Trithem. Chron. Hirsaug. ann. 1498.—Wadding. ann. 1500, No. 29.—Chron. Glassberger ann. 1501.

he would uphold it. On the next anniversary Frère Jean Aloutier argued that the Virgin had never sinned even venially, although St. John Chrysostom said that she had done so out of vain-glory on her wedding-day. This was regarded as a covert attack, and Frère Jean was disciplined, though not publicly. Soon afterwards another Dominican, Jean Morselle, in a sermon, said it was a problem whether Eve or the Virgin was the fairer; it was apocryphal whether Christ went to meet the Virgin when she was raised to paradise; and that it was not an article of faith that she was assumed to heaven, body and soul, and that to doubt it was not mortal sin. All this sounds innocent enough as to matters incapable of positive assertion, but Frère Jean was compelled publicly to declare the first article to be suspect of heresy, the second to be false, and the third to be heretical. It is only this hyperæsthesia of doctrinal sensibility that will explain the rigorous measures taken with Piero da Lucca, a canon of St. Augustin, who, in 1504, at Mantua, in a sermon, said that Christ was not conceived in the womb of the Virgin, but in her heart, of three drops of her purest blood. At once he was seized by the Inquisition, condemned as a heretic, and came near being burned. A controversy arose which greatly scandalized the faithful. Baptista of Mantua wrote a book to prove the true place of Christ's conception. Julius II. evoked the matter to Rome and committed it to the cardinals of Porto and San Vitale, who called together an assembly of learned theologians. After due deliberation, in 1511 these condemned the new theory as heretical, and the purity of the faith was preserved.*

The position of the Dominicans was growing desperate. Christendom was uniting against them. Only the steady refusal of the papacy to pronounce definitely on the question saved them from the adoption of a new article of faith which Aquinas had proved to be false. Aquinas was their tower of strength, whom the received tradition of the Order held to be inspired. It never occurred to them, as to his modern commentators, to prove that he did not mean what he said, and, in default of this, to yield on the point of the Immaculate Conception was to admit his fallibility.

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* Trithem. Chron. Hirsaug. ann. 1497.—D'Argentré I. II. 336–40, 347.—Ripoll IV. 267.—Bernardi Comens. Lucerna Inquis. s. v. *Hæresis*, No. 23.

The alternative was a cruel one, but they had no choice. They could only hope to secure the neutrality of the papacy and to prolong the hopeless fight against the growing strength of the new doctrine, which their banded enemies propagated with all the enthusiasm of approaching victory. The perplexity of the position was all the more keenly felt, as they claimed the Virgin as the peculiar patroness of their Order; the devotion of the Rosary, in her special honor, was a purely Dominican institution. They who had always worshipped her with the most extravagant devotion were forced to become her apparent detractors, and were everywhere stigmatized as "*maculistæ*." Would she not condescend to save her devotees from the cruel dilemma into which they had fallen?

Suddenly, in 1507, the rumor spread that in Berne the Virgin had interposed to save her servants. In a convent of Observantine Dominicans she had repeatedly appeared to a holy friar and revealed to him her vexation at the guilt of the Franciscans in teaching the Immaculate Conception. After conception she had been three hours in original sin before sanctification; the teaching of St. Thomas was true and divinely inspired; Alexander Hales, Duns Scotus, and many other Franciscans were in purgatory for asserting the contrary. Julius II. would settle the question and would institute in honor of the truth a greater feast than that of December 8. To help towards this consummation the Virgin gave the friar a cross tinged with her son's blood, three of the tears which he had shed over Jerusalem, the cloths in which he was wrapped in the flight to Egypt, and a vial of the blood which he had shed for man, together with a letter to Julius II. in which he was promised glory equal to that of St. Thomas Aquinas in return for what was expected of him, and this letter, duly authenticated by the seals of the Dominican priors of Berne, Basle, and Nürnberg, was sent to the pope. The reports of these divine appearances produced an immense sensation; countless multitudes assembled in the Dominican Church to look upon the friar thus favored, and he performed feats of fasting, prayer, and scourging, which increased the reputation for sanctity acquired by the visitations. After a trance he appeared with the stigmata of Christ; the church was arranged to enable him in his devotions to represent the various acts of the Passion, and an immense crowd looked on with awe-

struck admiration. Then an image of the Virgin wept, and it was explained that her grief arose from the disregard of her warnings of what would befall the city unless it ceased to receive a pension from France, unless it expelled the Franciscans, and unless it ceased to believe in the Immaculate Conception.

People flocked from all the region around, and the fame of the miraculous apparitions spread, when the magistrates of Berne were surprised by Letser, the favored recipient of the visitations, taking refuge with them, and begging protection from his superiors, who were torturing and endeavoring to poison him. An investigation developed the whole plot. Wigand Wirt, Master of the Observantine Dominicans, and professor of theology, had had, in 1501, a quarrel with a parish priest in Frankfort, in which they abused each other from their respective pulpits. In a sermon the priest thanked God that he did not belong to an Order which had slain the Emperor Henry VII. with a poisoned host, and which denied the Immaculate Conception. Wirt, who was present, shouted to him that he was a liar and a heretic. An uproar followed, in which the Order sustained Wirt and appealed to Julius II., who appointed a commission. The result was adverse to Wirt, who left Frankfort filled with wrath, and published a savage attack upon his adversaries, which the Archbishop of Mainz caused to be publicly burned, while all his suffragans prohibited its circulation. Greatly excited, the Dominicans, in a chapter held at Wimpffen, resolved to prove by miracle the falsity of the Immaculate Conception. Frankfort was at first selected as the theatre, but was abandoned through fear of the archbishop; then Nürnberg, but the number of learned men there was an obstacle, and Berne was finally chosen as a city populous and powerful, but simple and unlearned. The officials of the Dominican convent there, John Vetter the prior, Francis Ulchi the sub-prior, Stephen Bolshorst the lector, and Henry Steinecker the procurator, undertook to carry out the design, and selected as an instrument a tailor of Zurzach, John Letser, who had been recently admitted to the Order. To suit the taste of the age, it was proved on the trial that they had commenced by invoking the assistance of the devil and had signed compacts with him in their blood, but their own ingenuity was sufficient for what followed, though we are told that when they produced the stigmata on Letser they first rendered him

insensible with a magic potion formed of blood from the navel of a new-born Jew and nineteen hairs from his eyelashes. The victim was carefully prepared by a series of apparitions, commencing with an ordinary ghost and ending with the Virgin. According to his own account he believed in the visions till one day entering Bolshorst's room suddenly he found him in female attire like that of the Virgin, preparing for making an appearance. By threats and promises he had been prevailed upon to continue the imposture a while longer, till, fearing for his life, he escaped and told his tale.

Letser was sent to the Bishop of Lausanne, who heard his story and authorized the magistrates of Berne to act. The four Dominicans were confined separately in chains, and envoys were sent to Rome, where, only after the greatest difficulty, they obtained audience of the pope. A papal commission was sent, but with insufficient powers, and prolonged delays were experienced in procuring another, but finally it came, having at its head Achilles afterwards Cardinal of San Sexto, one of the most learned jurists of the age. Torture was freely used on both Letser and the accused, and full confessions were obtained. These were so damaging that the commissioners desired to keep them secret even from the magistrates, and when the latter were dissatisfied it was determined that they should be shown to a select committee of eight under pledge of secrecy, and that, to satisfy the people, only certain articles sufficient to justify burning should be publicly read. These were four, viz., renouncing God, painting and reddening the host, falsely representing the weeping Virgin, and counterfeiting the stigmata. The four culprits were abandoned to the secular arm, and eight days afterwards, as Nicholas Glassberger piously hopes, they were sent to heaven through fire, for they were burned in a meadow beyond the Arar, their ashes being thrown into the river to prevent their being reverenced as relics—not without reason, for the Order promptly pronounced them to be martyrs. It is worthy of note that in the published sentence the Immaculate Conception was kept wholly out of sight. In the existing tension between the Mendicant Orders the papal representatives evidently deemed it wise to keep this question in the background. Paulus Langius tells us that the story made an immense sensation, and that the "*maculistæ*" endeavored in vain to suppress it, and circu-

lated all manner of distorted and false accounts of it. Julius II., so far from obeying the visions of Letser, confirmed in 1511 the religious order of the Immaculate Conception founded at Toledo in 1484 by the zeal of Beatriz de Silva.*

Wigand Wirt did not wholly escape, though he does not seem to have been directly implicated in the fraud. The Observantine Franciscans prosecuted him before the Holy See for his savage tract against his adversaries. The case was heard by two successive commissions of cardinals, until, October 25, 1512, Wirt abandoned the defence and was sentenced to make the most humiliating of retractions. In public he revoked, abolished, repudiated, and extirpated his book as scandalous, insulting, defamatory, useless, and prejudicial; he confessed that in it he had injured theological doctrine and wounded the fraternal charity of many, including the venerable Franciscans, and the honor and fame of Conrad Henselin, Thomas Wolff, Sebastian Brandt, and Jacob of Schlettstadt (Wimpheling); and he declared his belief that those who upheld the doctrine of the Immaculate Conception did not err. Moreover, under penalty of perpetual imprisonment, he promised, within four months after November 1, to repeat his recantation publicly in Heidelberg, after giving three days' notice to the Franciscan convent there; he begged pardon of all whom he had injured, and he obligated himself to undergo perpetual imprisonment if he should in any way, directly or indirectly, repeat the offence. The Dominican general who took part in the sentence, commanded all priors and prelates of the Order to confine him for life, wherever he might be found, in case of non-fulfil-

* I have followed a contemporary account of this curious affair—"De Quatuor Hæresiarchis in civitate Berneusi nuper combustis, A.D. 1509," 4to, *sine nota* (Strassburg, 1509), attributed to Thomas Murner. It accords sufficiently with the briefer reports of Trithemius (Chron. Hirsaug. ann. 1509) and Sebastian Brandt (Pauli Langii Chron. Citicens. ann. 1509), and that of the Chron. Glassberger ann. 1501, 1506, 1507, 1509.—Garibay, Compendio Historial de España, Lib. xx. cap. 13.

The Bernese community was piously devoted to the Virgin. In 1489 a certain Nicholas Rotelfinger was inconsiderate enough to declare that she helped the wicked as well as the good. For this he was obliged to stand a whole day in an iron collar and to make oath that he would personally seek the pope and bring home a written absolution.—Valerius Anshelm, Berner-Chronik, Bern, 1884, I. 355.

ment of his pledges. In due course, on Ash-Wednesday, February 24, 1513, in the church of the Holy Spirit of Heidelberg, when the concourse of the faithful was greatest, Wirt appeared and repeated the humiliating retraction. So bitter was the trial that he could not repress an ejaculation that it was hard to endure. The Franciscans had a notary present who recorded officially the whole proceeding, which was forthwith printed and spread abroad so as to publish far and wide the degradation of the unlucky disputant.*

Despite the fate of the martyrs of Berne the Dominicans still held out gallantly against the constantly increasing preponderance of their antagonists. I have before me a little tract, evidently printed by a Dominican about this time as a manual for disputants, in which the opinions of two hundred and sixteen doctors of the Church are collected in proof of the conception of the Virgin in original sin. It presents a formidable array of all the greatest names in the Church, including many popes; and the compiler doubtless felt peculiar pleasure in grouping together the most revered authorities of the Franciscan Order—St. Antony of Padua, Alexander Hales, St. Bonaventura, Richard Middleton, Duns Scotus, William of Ockham, Nicholas de Lyra, Jacopone da Todi, Alvaro Pelayo, Bartolomeo di Pisa, and others. In spite of this preponderance of authority the Dominicans had a hard struggle in the Council of Trent, but they possessed strength enough, after a keen discussion, to have the question left open, with a simple confirmation of the temporizing bull of Sixtus IV. Still the controversy went on, as heated as ever, causing tumults and scandals, which the Church deplored but could not cure. In 1570 Paul IV. endeavored to suppress them by suppressing public discussion. He renewed the bull of Sixtus IV., pointed out that the Council of Trent permitted every one to enjoy his own opinion, and he allowed learned men to debate it in universities and chapters until it should be decided by the Holy See. All public disputation or assertion on either side in sermons or addresses was, however, forbidden under pain of *ipso facto* deprivation and perpetual disability. This endeavor to preserve the peace of the Church was as futile as its predecessors. In 1616 Paul V. deplored that, in spite of the salutary provisions existing on the subject, quarrels

* Revocatio fratris Vuygandi Vuirt (apud Trebotes, *sine anno*).

and scandals continued and threatened to grow more dangerous. He therefore added to the existing penalties perpetual disability for preaching or teaching, and ordered the bishops and inquisitors everywhere to punish severely all contraventions of these regulations. Yet the scale continued to incline against the Dominicans. A twelvemonth later, in August, 1617, Paul, in a general congregation of the Roman Inquisition, issued another constitution, in which he extended these penalties to all who in public should assert the Virgin to have been conceived in original sin. He did not reprove the opinion, but left it as before, and ordered those who asserted publicly the Immaculate Conception to do so simply, without assailing the other side, and, as before, bishops and inquisitors were instructed to punish all infractions. In 1622 Gregory XV. went a step further in suppressing the perpetual discord by a further extension of the penalties to all who in private asserted the Virgin's conception in sin; but at the same time he forbade the use of the word "immaculate" in the office of the Feast of the Conception. The Dominicans grew restive under this gagging, and in a couple of months procured a relaxation of the prohibition in so far as to allow them privately with each other to maintain and defend their opinion. These bulls brought considerable business to the Inquisition, for disputatious ardor could not be restrained. A contemporary manual informs us that in spite of the prohibition of discussion it still continued, and that offenders on both sides were sent to Rome for judgment by the supreme tribunal, care being taken, as far as possible, not to have Dominican witnesses when the offender was Franciscan, and *vice versa*. In spite of this the Dominican, Thomas Gage, who wandered through the Spanish colonies about 1630, speaks of holding public discussions on the subject in Guatemala, in which he maintained the Thomist doctrine against the Franciscan, Scotist, and Jesuit opinions.*

* De Beatæ Virginis Conceptione Ducentorum et sexdecim Doctorum vera, tuta, et tenenda Sententia (*sine nota, sed c.* 1500).—Concil. Trident. Sess. v. Decr. de Orig. Peccat. § 5.—Pauli PP. IV. Bull. *Super speculum* (Mag. Bull. Rom. II. 343).—Pauli PP. V. Bull. *Regis pacifici* (Ibid. p. 392).—Ejusd. Constit. *Sanctissimus* (Ib. p. 400).—Gregor. PP. XV. Constit. *Sanctissimus* (Ib. p. 477).—Ejusd. Bull. *Eximii* (Ib. p. 478).—Prattica del Modo da procedersi nelle Cause del S. Offitio, cap. xix. (MSS. Bib. Reg. Monachens. Cod. Ital. 598.—MSS. Bib. Nat., fonds italien, 139).—Gage, New Survey of the West Indies, London, 1677; p. 266.

So minutely was the question reasoned out that it became heresy to assert that one would undergo death in defence of the doctrine of the Immaculate Conception. In 1571 Alonso de Castro, although a Franciscan, uses this as an illustration that it is heretical thus to declare adhesion to a point which is not an article of faith. In the heated controversy everywhere raging ardent polemics showed their zeal by offering to stake their existence upon it, and the question became a practical one for the Inquisition to deal with. A vow or oath to defend the doctrine was declared to be valid, but in 1619 the inquisitors of Portugal, with the assent of Paul V., condemned as heretical the opinion that one who should die in defence of the Immaculate Conception would be a martyr. As the Inquisition was largely in Dominican hands, it doubtless was used effectually to persecute the too zealous assertors of the doctrine, and to this probably is attributable the rule that in all such cases the denunciation should be sent to the supreme Inquisition in Rome and its decision be awaited, thus tying the hands of the local inquisitors. From Carena's remarks, it is evident that these cases were not infrequent and that they gave much trouble.*

The Jesuits threw the immense weight of their influence in favor of the Immaculate Conception, and in time it became not

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* Alph. de Castro de justa Hæret. Punitione Lib. I. c. viii. Dub. 4.—Carenæ Tract. de Modo procedendi Tit. XVII. § 9.

Yet in Spain the intense popular devotion to the Virgin rendered the Inquisition very sensitive in its reverence for her. In 1642 an inquisitor, Diego de Narbona, in his *Annales Tractatus Juris* alluded to an assertion of Clement of Alexandria (Stromata, Lib. VII.) that some persons believed that after the Nativity the Virgin was inspected by the midwife to prove her virginity. Although he condemned the statement as most indecent and dishonoring to the Virgin, his work was denounced to the Inquisition of Granada, which referred it to the Inquisitor-general. Narbona in vain endeavored to defend himself. It was shown that in the Index Expurgatorius of 1640 the passage of Clement, as well as those in all other authors alluding to it, had been ordered to be *borrado*, or expunged, so that the very memory of so scandalous a tale might be lost. Narbona alleged in his defence a passage in Padre Basilio Ponce de Leon, but the Inquisition showed that this had likewise been *borrado*, and, as every one who possessed a copy of a book containing a prohibited passage was bound to blot it out and render it illegible, he was culpable in not having done so.—MSS. Bibl. Bodleian. Arch S. 130.

uncommon among them, at least in certain places, to take the heretical vow to defend it with life and blood. In 1715 Muratori, under the cautious pseudonym of Lamindus Pritanius, published a book attacking this practice. This drew forth a reply, in 1729, from the Jesuit Francesco Burgi, which Muratori answered under the name of Antonius Lampridius. A lively controversy arose which lasted for a quarter of a century or more, and Muratori's second book was in 1765 placed on the Spanish Index. Benedict XIV., in his great work *De Beatificatione*, says that the Church inclines to the doctrine of the Immaculate Conception, but has not yet made it an article of faith, and he even leaves the question undecided whether one who dies in its defence is to be reckoned as a martyr. Yet when, in 1840, Bishop Peter A. Baines, the Apostolic Vicar in England, spoke inconsiderately on the subject in a pastoral letter, he was sharply reproved and obliged to sign a pledge that on the first fitting occasion he would publicly declare his adhesion to whatever the Holy See might define on the subject. The decision was not long in coming. In 1849 Pius IX. consulted all the bishops as to the expediency of proclaiming the Immaculate Conception as a dogma of the Church. Those of Italy, Spain, and Portugal, about four hundred and ninety in number, were almost unanimously in its favor, while many in other lands hesitated and deprecated such action. The latter were not heeded; December 8, 1854, Pius issued a solemn definition declaring it to be an article of faith, and thus, after a gallant struggle, protracted through five centuries with unyielding tenacity, the Dominicans were finally defeated, and could only console themselves with ingenious glosses on Thomas Aquinas to prove that he had never really denied the doctrine.*

It is interesting thus to trace the evolution of dogma, even though the result cannot be regarded as a finality. In the insatiable desire to define every secret of the invisible world every decision is only a stepping-stone to a new discussion. The next point is to ascertain how the Immaculate Conception took place, and this has already been mooted. In 1876 a condemnation was pronounced on Joseph de Félicité (Vercruysse?) among whose

* Reusch, Der Index der verbotenen Bücher, II. 843, 986.—Addis and Arnold's Catholic Dictionary s. v. *Immaculate.*

errors was the assertion that Mary was conceived by the operation of the Holy Ghost, without the intervention of St. Joachim.* Yet who can say that in the centuries to come this dogma may not also win its place, and the Virgin thus be elevated to an equality with her Son?

One function of the Inquisition remains to be considered—the censorship of the press—although its full activity in this direction belongs to a period beyond our present limits. We have seen how Bernard Gui burned Talmuds by the wagon-load, and the special training of the inquisitors would seem to point them out as the most available conservators of the faith from the dangerous abuse of the pen. Yet it was long before any definite system was adopted. The universities were almost the only centres of intellectual activity, and they usually exercised a watchful care over the aberrations of their members. When some work of importance was to be condemned the authority of the Holy See was frequently invoked, as in the case of Erigena's *Periphyseos, the Everlasting Gospel*, William of St. Amour's assault upon the Mendicants, and Marsilio of Padua's *Defensor Pacis*. On the other hand, as we have seen, in 1316 the episcopal vicar of Tarragona had no hesitation in assembling some monks and friars and condemning a number of Arnaldo de Vilanova's writings, and about the same time the inquisitors of Bologna took similar action with respect to Cecco d'Ascoli's commentary on the *Sphæra* of Sacrobosco. Yet no thought seems to have occurred of using the Inquisition for this purpose as a general agency with power of immediate decision, before Charles IV. endeavored to establish the Holy Office in Germany. The heresy of the Brethren of the Free Spirit was largely propagated by means of popular books of devotion; to check this and the forbidden use by the laity of translations of Scripture in the vernacular, the emperor, in 1369, empowered the inquisitors and their successors to seize and burn all such books, and to employ the customary inquisitorial censures to overcome resistance. All the subjects of the empire, secular and clerical, from the highest to the lowest, were ordered to lend their aid, under pain of the imperial displeasure. In 1376 Gregory XI. fol-

* Reusch, op. cit. II. 989.

lowed this with a bull in which he deplored the dissemination of heretical books in Germany, and directed the inquisitors to examine all suspected writings, condemning those found to contain errors, after which it became an offence punishable by the Inquisition to copy, possess, buy, or sell them. No trace remains of any results of these regulations, but they are interesting as the first organized literary censorship. About the same period Eymerich was engaged in condemning the works of Raymond Lully, of Raymond of Tarraga, and others, but he seems always to have referred the matter to the Holy See and to have acted only under special papal authority. When, as we have seen, Archbishop Zbinco burned Wickliff's writings in Prague, a papal commission decided that his act was not justified, and their final condemnation was pronounced by the Council of Rome in 1413.*

With the gradual revival of letters books assumed more and more importance as a means of disseminating thought, and this increased rapidly after the invention of printing. It became a recognized rule with the Inquisition that he into whose hands an heretical book might fall and who did not burn it at once or deliver it within eight days to his bishop or inquisitor was held vehemently suspect of heresy. The translation of any part of Scripture into the vernacular was also forbidden. It was not, however, until 1501 that any organized censorship of the press seems to have been thought of, and even then Germany was the only land where the issue of dangerous and heretical books was considered to require it. All printers were ordered in future, under pain of excommunication and of fines applicable to the apostolic chamber, to present to the archbishop of the province or to his ordinary all books before publication, and only to issue those for which a license should be granted after examination, the prelates being commanded on their consciences to make no charge for such license. All existing books in stock, moreover, were to be subject to similar inspection, and of such as should be found to contain errors all copies accessible were to be delivered up for burning.†

It shows to what a state of contempt the German Inquisition

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* Mosheim de Beghardis, pp. 368, 378.—Eymeric. pp. 311-16.

† Albertini Repertor. Inquis. s. vv. *Libri*, *Scriptura*.—Raynald. ann. 1501, No. 36.

had fallen, that in this comprehensive measure to restrict the license of the press it seems not to have been even thought of as an instrumentality, and that dependence was placed on the episcopal organization alone. The archbishops, however, were as usual too much engrossed in the temporal concerns of their princely provinces to pay attention to such details, and there is apparently no result to be traced from the effort. The evil continued to increase, and in 1515, at the Council of Lateran, Leo X. endeavored to check it by general regulations still more rigid in a bull which was unanimously approved, except by Alexis, Bishop of Amalfi, who said that he concurred in it as to new books, but not as to old ones. After an allusion to the benefits conferred by the art of printing, the bull proceeded to recite that numerous complaints reached the Holy See that printers in many places printed and sold books translated from the Greek, Hebrew, Arabic, and Chaldee, as well as in Latin and the vernaculars, containing errors in faith and pernicious dogmas, and also libels on persons of dignity, whence many scandals had arisen and more were threatened. Therefore forever thereafter no one should be allowed to print any book or writing without a previous examination, to be testified by manual subscription, by the papal vicar and master of the sacred palace in Rome, and in other cities and dioceses by the Inquisition, and the bishop or an expert appointed by him. For neglect of this the punishment was excommunication, the loss of the edition, which was to be burned, a fine of a hundred ducats to the fabric of St. Peters, and suspension from business for a year. Persistent contumacy was further threatened with such penalty as should serve as a warning deterrent to others.* The precaution came too late.

* Concil. Lateran. V. Sess. IX. (Harduin. IX. 1779–81).

These rules were probably enforced only where there was an Inquisition in working order. In the edition of Nifo's work, *De Cœlo et Mundo*, printed at Naples in 1517, there is an *imprimatur* by Antonio Caietano, prior of the Dominican convent, reciting the conciliar decree, and stating that in the absence of the inquisitor he had been deputed by the Vicar of Naples to examine the work, in which he found no evil.

In the Venice editions of Joachim of Flora, printed in 1516 and 1517, there is not only the permission of the inquisitor and of the Patriarch of Venice, but also that of the Council of Ten, showing that the press was subjected to no little impediment.

In the contemporaneous Lyons edition of Alvaro Pelayo's *De Planctu Ecclesiæ*

Except with regard to witches, the machinery of persecution was too thoroughly disorganized to curb the rising tide of human intelligence which speedily swept away all such flimsy barriers. We have seen how prolonged and unsatisfactory was the attempt to silence Reuchlin. The printing-press multiplied indefinitely the satires of Erasmus and Ulric Hutten, and when Luther appeared it scattered far and wide among the people his vigorous attacks on the existing system. It required time and the exigencies of the counter-reformation to perfect a plan by which, in the lands of the Roman obedience, the faithful could be preserved from the insidious poison flowing from the fountain of the printing-press.

(1517), however, there is no *imprimatur*, and evidently there was no censorship, and the same is the case in such German books of the period as I have had an opportunity of examining.

CHAPTER IX.

CONCLUSION.

HAVING thus considered with some fulness what the Inquisition accomplished, directly and indirectly, it only remains for us to glance at what it did not do.

The relations of the Greek Church to the Holy See would almost justify the assumption that persecution of heresy, far from being a matter of conscience, was one of expediency, to be enforced or disregarded as the temporal interests of the papacy might dictate. The Greeks were not only schismatics, but heretics, for, as St. Raymond of Pennaforte proved, schism was heresy, as it violated the article of the creed "*unam sanctam Catholicam ecclesiam.*" We have repeatedly seen that to deny the supremacy of Rome and to disregard its commands was heresy. Boniface VIII., in the bull "*Unam sanctam*," proclaimed it to be an article of faith, necessary to salvation, that every human creature is subject to the Roman pontiff, and he especially includes the Greeks in this. Besides this, there was the Procession of the Holy Ghost from both the Father and the Son, in which Charlemagne forced Leo III. to modify the Nicene symbol, and which the Greeks persistently refused to receive, rendering them heretics on a doctrinal point assumed to be of the greatest importance. Yet the Church, when it seemed desirable, could always establish a *modus vivendi*, and exercise a prudent toleration towards the Greek Church. It was thus in southern Italy, which had been withdrawn from Rome and subjected to Constantinople in the eighth century by Leo the Isaurian during the iconoclastic controversy. In 968 the Patriarch of Constantinople substituted the Greek for the Roman rite in the churches of Apulia and Calabria, and though some resisted, most of them submitted and retained it even after the conquest of Naples by the Normans. Thus in the see of Rossano in 1092, when a Latin bishop was introduced, the people recalcitrated and ob-

tained from Duke Roger permission to retain the Greek rite. This lasted until 1460, when the Observantine Bishop Matteo succeeded in changing it to the Latin rite.*

The Greek churches, which long continued to exist throughout the Slavic and Majjar territories, were subjected to greater pressure, though it was fitful and intermittent. In 1204 Andreas II. of Hungary applied to Innocent III. to appoint Latin priors for the Greek monasteries in his dominions. In the settlement of 1233, after the kingdom had been placed under interdict, an oath was exacted of Bela IV. that he would compel all his subjects to render obedience to the Roman Church, and Gregory IX. forthwith summoned him to enforce his promise with regard to the Wallachians, who were addicted to the Greek rite. In 1248 we find Innocent IV. sending Dominicans to Albania to convert the Greeks, and it would indicate that persuasion rather than force was relied upon, when we see these missionaries empowered to grant the ecclesiastics dispensation for all irregularities, including simony. A hundred years later Clement VI. and Innocent VI. were more energetic, and ordered the prelates of the Balkan Peninsula to drive out all schismatics, calling in the aid of the secular arm if necessary. We have already seen how fruitless were the efforts to exterminate the Cathari in these regions, and that the only result of the effort to enforce uniformity of faith was to facilitate the advance of the Turkish conquest.†

The possessions of the Crusaders in the Levant offered a more complex problem. Although Innocent III. had protested against the conquest of Constantinople in 1204, when it was successful he

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* S. Raymondi Summ. I. VI. i.—I. Extrav. Commun. I. viii.—Lib. Carolin. III. 1, 3.—Harduin. Concil. IV. 131, 453-4, 747, 775, 970.—Hartzheim Concil. German. I. 390-6.—Eymeric. p. 325.—Tocco, L'Eresia nel Medio Evo, pp. 389-90.—C. 9, 11, Extra, I. xi.

When Sigismund of Austria, in his quarrel with Nicholas of Cusa over the bishopric of Brixen, refused to observe the interdict cast on his territories, Pius II., in 1460, summoned him to trial within sixty days as a heretic, because his disobedience showed him to be notoriously guilty of that heresy of heresies, disbelief in the article of the Creed, "*Credo in unam sanctam Catholicam et Apostolicam ecclesiam*" (Freber et Struv. II. 192).

† Innoc. PP. III. Regest. VII. 47.—Batthyani Legg. Eccles. Hung. II. 355-6.—Ripoll I. 70-1, 186.—Wadding. ann. 1351, No. 8; ann. 1354, No. 4, 5.

was ardent in his recognition of the mysterious wisdom of God in thus overthrowing the Greek heresy, and he took prompt action to secure the utmost advantage to be expected from it. He ordered the crusaders to suspend all priests ordained by Greek bishops, and to provide Latin priests for the churches seized, taking care that their property was not dissipated. A hungry horde of clerics speedily precipitated itself on the new possessions, embarrassing those in charge, and Innocent, in answer to inquiries, advised that only those who brought commendatious letters should be allowed to officiate in public. Thus, in the Latin kingdoms of the East a new hierarchy was imposed upon the churches, but the people were not converted, and an embarrassing situation arose concerning which no clearly defined policy could be preserved.*

Strictly speaking, all schismatics and heretics were under *ipso facto* excommunication, but this could be disregarded if it was politic to do so, as when, in 1244, Innocent IV., in sending Dominican missionaries to the Greeks, Jacobines, Nestorians, and other heretics of the East, gave full authority to participate with them in all the offices of religion. Where the Greek churches were independent efforts were made to win them over by persuasion and negotiation, as in the mission sent in 1233 by Gregory IX. to Germanus, Patriarch of Nicæa, and in 1247 by Innocent IV. to the Russians; but when these endeavors failed there was no hesitation in resorting to force, and the disappointed Gregory preached a crusade for the purpose of reducing the schismatics to obedience. So, in 1267, when the measureless ambition of Charles of Anjou, inflamed by the conquest of Naples, dreamed of reconquering Constantinople, his treaty with the titular emperor, Baldwin II., recites the uniting of the Eastern Empire with the Church of Rome as the impelling motive. Charles's enterprise was postponed by the submission of Michael Palæologus at the Council of Lyons in 1274, but this only stirred up rebellion among his subjects; Michael Comnenus was placed at the head of the party sustaining the national church, and war broke out in 1279. Although Charles hastened to take advantage of this, the Sicilian Vespers, in 1283,

* Innoc. PP. III. Regest. VII. 2-12, 121, 152-4, 164, 203-5; IX. 243-6; X. 49-51.

gave him ample occupation at home, and his projects were, perforce, laid aside.*

In the territories subjected to Latin domination the conditions were somewhat different. It was impossible to uproot the native Church, and the two rites were necessarily permitted to coexist, with alternations of tolerance and persecution, of persuasion and coercion. In 1303 Benedict XI., when ordering the Dominican prior of Hungary to send missionaries to Albania and other provinces, speaks of the Latin churches and monasteries in a manner to show that the two rites were allowed side by side, and only intrusions of the Greeks were to be resisted. Documents which chance to have been preserved concerning the kingdom of Cyprus illustrate the perplexities of the situation and the varying policy pursued. In 1216 Innocent III. reduced the bishoprics of the island from fourteen to four—Nicosia, Famagosta, Limisso, and Baffo—and provided in each a Greek and Latin bishop for the respective rites, which was an admission of equality in orthodoxy. Forty years later we find the Greek monasteries subjected to the Latin Archbishop of Nicosia, and there seems to have been some ascendency claimed by the Latin prelates, for in 1250 the Greek archbishop petitioned Innocent IV. for permission to reconstitute the fourteen sees and consecrate bishops to fill them; that they should all be independent of the Archbishop of Nicosia, and that all Greeks and Syrians be subjected to them and not to the Latins. This prayer was rejected. Alexander IV. gave an express power of supervision to the Latin prelates, which naturally led to quarrels, and at times the Greeks were treated as heretics by zealous churchmen and by those whose authority was set at nought, as we learn from some appeals to Boniface VIII. in 1295. John XXII. energetically endeavored to extirpate certain heresies and heretical practices of the Greeks, but seems to have allowed the regular observance of their rites. Yet about the same time Bernard Gui, in his collection of inquisitorial formulas, gives two forms of abjuration of the Greek errors and reconciliation from the excommunication pronounced by the canons against the schismatic

* C. 35 Decr. P. II. Caus. xxiv. Q. 9.—Berger, Registres d'Innoc. IV. No. 573, 1817.—Raynald. ann. 1233, No. 1-15.—Epistt. Sæculi XIII. T. I. No. 725 (Pertz).—Buchon, Recherches et Matériaux, pp. 31, 40-2.

Greeks, showing that the inquisitors of the West were accustomed to lay hold of any unlucky Greek who might be found in the Mediterranean ports of France. Their fate was doubtless the same in Aragon, for Eymerich does not hesitate to qualify them as heretics. The persecuting spirit grew, for about 1350 the Council of Nicosia, although it allowed the four Greek bishops of Cyprus to remain, still ordered all to be denounced as heretics who did not hold Rome to be the head of all churches and the pope to be the earthly vicar of Christ, and in 1351 a proclamation was issued ordering all Greeks to confess once a year to a Latin priest and to take the sacrament according to the Latin rite. If this was enforced, it must have provided the Inquisition with abundant victims, for in 1407 Gregory XII. defined that any Greek who reverted to schism after participating in orthodox sacraments was a relapsed, and he ordered the inquisitor Elias Petit to punish him as such, calling in if necessary the aid of the secular arm.*

The Venetians, when masters of Crete, endeavored to starve out the Greek Church by forbidding any bishop of that rite to enter the island, and any inhabitant to go to Constantinople for ordination. Yet, in 1373, Gregory XI. learned with grief that a bishop had succeeded in landing, and that ordination was constantly sought by Cretans in Constantinople. He appealed to the Doge, Andrea Contareni, to have the wholesome laws enforced, but to little purpose, for in 1375 he announced that nearly all the inhabitants were schismatics, and that nearly all the cures were in the hands of Greek priests, to whom he offered the alternative of immediate conversion or ejection.†

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* Theiner Monument. Slavor. Meridional. I. 120.—Berger, Registres d'Innoc. IV. No. 2058, 4053, 4750, 4769.—Barb. de' Mironi, Hist. Eccles. di Vicenza II. 102.—Thomas, Registres de Boniface VIII. No. 613–4.—Raynald. ann. 1318, No. 57.—Ripoll II. 172, 482.—B. Guidon. Practica P. II. No. 9; P. V. No. 11.—Eymeric. p. 303.—Harduin. VII. 1700, 1709, 1720.

The relations between the races in the Levant were not such as to win over the Greeks. A writer of the middle of the thirteenth century, who was zealous for the reunion of the churches, repeatedly alludes to the repulsion caused by the tyranny and injustice of the Latins towards the Greeks. Even the lowest of the former treated the Greeks with contempt, pulling them by the beard and stigmatizing them as dogs.—Opusc. Tripartiti P. II. c. xi., xvii. (Fascic. Rer. Expetend. et Fugiend. II. 215, 216, 221).

† Raynald. ann. 1373, No. 18; ann. 1375, No. 25.

Efforts so spasmodic were of course unavailing. So far from suppressing the Greek Church it was found that many Catholics living in a schismatic population became perverts. To this, in 1449, Nicholas V. called the attention of the inquisitor of the Greek province, telling him that although the Oriental rite was praiseworthy, it must be kept distinct from the Latin, and that all such cases must be coerced, even if the assistance of the secular arm was necessary. There was scant encouragement for the Inquisition in those lands, however, for when, in 1490, Innocent VIII. appointed Frà Vincenzo de' Reboni as Inquisitor of Cyprus, where there were many heretics, and ordered the Bishops of Nicosia, Famagosta, and Baffo each to give him a prebend for his support, there was so energetic a remonstrance from the prelates that Innocent withdrew the demand. From all this it is evident that in its relations with the Greek Church Rome was governed by policy; that it could exercise toleration whenever the occasion demanded, and that the Inquisition was practically quiescent in its dealings with these heretic populations, although their heresy was of a dye so much deeper than that of many sectaries who were ruthlessly exterminated.*

During the Middle Ages there were few greater pests of society than the *quæstuarii*, or pardoners—the sellers of indulgences and pardons, who wandered over the face of Europe with relics and commissions, with brazen faces and stout lungs, vending exemptions from penance and purgatory, and prospective admission to paradise; telling all manner of lies, and at once disgracing the Church and impoverishing the credulous. Sometimes they were the authorized agents of Rome or of a bishop of a diocese; sometimes they farmed out a district for a fixed price or for a portion of the spoils; sometimes they merely bought from the curia or a local prelate the letters which authorized them to ply their trade.

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* Raynald. ann. 1449, No. 10.—Ripoll IV. 72.

In 1718 the congregation of the Propaganda permitted the erection of a Greek episcopate in Calabria, to supply the spiritual needs of the Greek population. The Greeks in the Island of Sicily complained of the expense of sending their youths to Calabria or to Rome for ordination, and in 1784, at the instance of Ferdinand III., Pius VI. authorized the establishment of another Greek bishop in Palermo.—Gallo, Codice Ecclesiastico Siculo, IV. 47 (Palermo, 1852).

Tetzel, who stirred the indignation of Luther to rebellion, was only a representative of a horde of vagabonds who for centuries had fleeced the populations and had done all in their power to render religion contemptible in the eyes of thinking men. The Dominican Thomas of Cantimpré bitterly compares the trifling sums which purchased salvation from papal emissaries collecting funds for the Italian wars of the Holy See with the endless labors and austerities of his brethren and of the Franciscans—the sleepless vigils and the days spent in ministering to the spiritual needs of fellow-creatures, without obtaining assured pardon for their sins. The character of these peddlers of salvation is summed up in a tract presented to the Council of Lyons in 1274 by Umberto de' Romani, who had resigned the generalate of the Dominican Order in 1263. He declares that they expose the Church to derision by their lies and filthiness; they bribe the prelates and thus obtain what privileges they want; the frauds of their letters of pardon are almost incredible; they find a fruitful source of gain in false relics, and though they collect large sums from the people, but little inures to the ostensible objects for which the collections are made.*

These creatures were not to be reached by the ordinary jurisdiction, for they either bore papal commissions or those of the bishop of the diocese; their trade was too profitable to all parties to be suppressed, and the only way of curbing their worst excesses seemed through the Inquisition. Accordingly the Inquisition had hardly been fully organized when Alexander IV. had recourse to it for this purpose, and included in the powers conferred on inquisitors that of restraining the *quæstuarii* and of forbidding their

* Th. Cantimprat. Bonum Universale, Lib. II. c. 2.—Humb. de Roman. Tract. in Concil. Lugdun. P. III. c. 8. (Martene Ampl. Coll. VII. 197). Cf. Opusc. Tripart. P. III. c. viii. (Fascic. Rer. Expetend. et Fugiend. II. 227).

William Langland sets forth the popular appreciation of the *Quæstuarii* with sufficient distinctness—

"Here preched a Pardonere as he a prest were,
Broughte forth a bulle with bishopes seles,
And seide that hym-selfe myghte asoilen hem alle
Of falshed of fastyng of vowes ybroken.
Lewed men leued hym well and lyked his wordes . . .
. . . Were the bischop yblissed and worth bothe his eares
His seel shulde not be sent to deceyue the peple."

Piers Plowman, Prologue, 68–79.

preaching. This was repeated by successive popes; it came to be embodied in the canon law, and was customarily included in the enumeration of duties recited in the commissions issued to inquisitors. A tithe of the energy shown in hunting down Waldenses and Spirituals would have effectually suppressed the worst features of this shameful traffic, but that energy was wholly lacking. In all the annals of the Inquisition I have met with but a single case, occurring in 1289, when Berenger Pomilli was brought before the inquisitor Guillaume de Saint-Seine. He was a married clerk of Narbonne, who stated that for thirty years he had followed the trade of *quæstuarius* in the dioceses of Narbonne, Carcassonne, and elsewhere, collecting the alms of the pious for the building of churches, bridges, and other objects. He was wont to preach to the people during the celebration of mass, and confessed to telling the most outrageous lies—that the cross which Christ carried to the place of crucifixion was so heavy that it would be a burden for ten men; that when the Virgin stood at the foot of the cross it bent over so that she kissed the Saviour's hands and feet, after which it arose again, and many fables concerning purgatory and the liberation of souls—the latter, which were the real frauds of his trade, being prudently suppressed in the official report of his confession. A question as to his belief in these stories revealed to him his danger, for to admit it would have been to stamp himself a heretic. He humbly replied that he knew that he had been habitually uttering lies, but he told them to move the hearts of his hearers to liberality, and he at once begged to be penanced. What penance was awarded him does not appear.*

That trials of this sort were rare is evident from the complaint of the Council of Vienne, in 1311, that these vagabonds were in the habit of granting plenary indulgences to those who made donations to the churches which they represented, of dispensing from vows, of absolving for perjury, homicide, and other crimes, of relieving their benefactors from a portion of any penance assigned them, or the souls of their relations from purgatory, and granting immediate admission to paradise. All this was forbidden for the future, but the Inquisition was no longer relied upon to coerce the par-

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* C. xi. § 2 Sexto v. ii.—Bern. Guidon. Practica P. v. (Ed. Douais, p. 199).—Eymeric. pp. 107, 564.—Coll. Doat, XXVI. 314.

doners to obedience; the bishops were ordered to take the matter in hand and punish the evil-doers. They proved as inefficient as might have been expected. The abuse continued until it became the proximate cause of the Reformation, after which the Council of Trent abolished the profession of pardoner, avowedly because it was the occasion of great scandal among the faithful, and that all efforts to reform it had proved useless.*

More important was the nonfeasance of the Inquisition with respect to simony. This was the corroding cancer of the Church throughout the whole of the Middle Ages—the source whence sprang almost all the evils with which she afflicted Christendom. From the highest to the lowest, from the pope to the humblest parish priest, the curse was universal. Those who had only the sacraments to sell made a trade of them. Those whose loftier position gave them command of benefices and preferment, of dispensations and of justice, had no shame in offering their wares in open market, and preferment thus obtained filled the Church with mercenary and rapacious men whose sole object was to swell their purses by extortion and to find enjoyment in ignoble vices. Berthold of Ratisbon, about the middle of the thirteenth century, preaches that simony is the worst of sins, worse than homicide, adultery, perjury, but it now so crazes men that they think through it to serve God.† Instinctively all eyes turned to the Holy See as the source and fountain of all these evils. A quaint popular satire, current in the thirteenth century, shows how keenly this was felt:

"Here beginneth the Gospel according to the silver Marks. In those days the pope said to the Romans: When the Son of Man shall come to the throne of our majesty, first say to him: Friend, why comest thou? And if he continue to knock, giving you nothing, ye shall cast him into outer darkness. And it came to pass that a certain poor clerk came to the court of the lord pope and cried out, saying: Have mercy on me, ye gate-keepers of the pope, for the hand of poverty hath touched me. I am poor and hungry, I pray you to help my misery. Then were they wroth and said: Friend, thy poverty perish with thee; get thee behind me Satan, for thou knowest not the odor of money. Verily, verily, I say unto thee that thou shalt not enter into the joy of thy Lord until thou hast given thy last farthing.

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* 2 Clement. v. ix.—Concil. Senonens. ann. 1485, Art. II. c. 8 (D'Achery, I. 758).—C. Trident. Sess. xxi. De Reform. c. 9.

† Bertholdi a Ratispona Sermones, Monachii, 1882, p. 93.

"Then the poor man went away and sold his cloak and his coat and all that he had, and gave it to the cardinals and gate-keepers and chamberlains. But they said: What is this among so many? And they cast him beyond the gates, and he wept bitterly and could find nought to comfort him. Then came to the court a rich clerk, fat and broad and heavy, who in his wrath had slain a man. First he gave to the gate-keeper, then to the chamberlain, then to the cardinals; and they thought they were about to receive more. But the lord pope, hearing that the cardinals and servants had many gifts from the clerk, fell sick unto death. Then unto him the sick man sent an electuary of gold and silver, and straightway he was cured. Then the lord pope called unto him the cardinals and servants, and said unto them: Brethren, take heed that no one seduce you with empty words. I set you an example; even as I take, so shall ye take."*

Vainly the intrepid energy and inflexible will of Hildebrand in the eleventh century strove to extirpate the ineradicable curse. It only grew wider and deeper as the Church extended its powers and centralized them in the Holy See. Simony was recognized in the canon law as a heresy, punishable as heresy with perpetual seclusion, and as such was justiciable by the Inquisition. With that organization at the command of the Holy See the untiring energy which through so many generations pursued the Cathari and Waldenses could in time have cured this spreading ulcer and purified the Church, but the Inquisition was never instructed to

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* Carmina Burana, Breslau, 1883, pp. 22–3.—This was a favorite theme with the poetasters of the time—

"Cardinales ut prædixi
novo jure crucifixi
vendunt patrimoniam.
Petrus foris, intus Nero,
intus lupus, foris vero
sicut agni ovium" (Ib. p. 18),

and this pervaded the whole Church—

"Veneunt altaria,
venit eucharistia
cum sit nugatoria
gratia venalis."—(Ib. p. 41).

The honest Franciscan, John of Winterthur, attributed all the evils which oppressed the Church to its venality—

"Ecclesiam nummus vilem fecit meretricem,
Nam pro mercede scortum dat se cupienti.
Nummus cuncta facit nil bene justitia,
Cunctis prostituens pro munere seque venalem,
Singula facta negat vel agit pro stipite solo;
Divino zelo nulla fere peragit."
Vitodurani Chron. ann. 1343.

prosecute simoniacs, and there is no trace in its records that it ever volunteered to do so. In fact, had any overzealous official attempted such uncalled-for work he would speedily have been brought to his senses, for simony was not only the direct source of profit to the curia in the sale of preferment, but indirectly so in the sale of dispensations to those who had incurred its disabilities. It seems almost a contradiction in terms to speak of the Holy See issuing dispensations for heresy, and yet this was habitual. Legates and nuncios, when despatched abroad, were empowered to gather a harvest among the faithful by issuing dispensations for all manner of disabilities and irregularities, and among these simony is conspicuously noted. This ceased when John XXII. systematized the sale of absolutions and drew everything to the papal penitentiary, when pardon for simony in a layman could be had for six grossi, in a cleric for seven, and in a monk for eight. It is easy to see why the Inquisition was not used to suppress a heresy so profitable in every aspect. Indeed, while under the canon law it was held to be a heresy, yet it was practically never treated as such. Guillaume Durand, in his *Speculum Juris*, written in 1271, gives formulas for the accusation, by private individuals, of simoniacal bishops and priests and monks, but neither he nor his numerous commentators make the slightest allusion to it as subject to the procedure against heresy.*

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* C. 7, 20, 21 Decr. P. II. Caus. 1, Q. 1.—Th. Aquin. Summ. Sec. Sec. Q. 100, Art. 1.—Gloss. Bernardi; Gloss. Hostiens. (Eymeric. pp. 138, 143, 165).—Eymeric. p. 318.—Berger, Registres d'Inn. IV. No. 2977, 3010, 4668, 4718.—Thomas, Reg. de Boniface VIII. No. 547, 554, 557–8, 644, 726, 747.—Taxæ Sac. Pœnitent. Ed. Friedrichs, p. 35; Ed. Gibbings, p. 3 (cf. Van Espen, Dissert. in Jus Canon. noviss. P. III. p. 699).—Durandi Specul. Juris Lib. IV. Partic. iv. Rubr. *de Simonia.*

Clement IV. was exceptional in seeking to repress the acquisitiveness of the curia. When, in 1266, Jean de Courtenai was elected Archbishop of Reims, and encumbered his see with a debt of twelve thousand livres to pay the Sacred College, Clement promptly excommunicated him and summoned him to reveal the names of all who participated in the spoils. Yet Clement had no scruple in following the example of his predecessor, Urban IV., in the negotiations which resulted in the crusade of Charles of Anjou against Manfred. Simon, Cardinal of S. Cecilia, sent to France for the purpose, was furnished with special powers to dispense for defects of age or birth or other irregularities in the acquisition of benefices, for holding pluralities, and for marriage within the prohibited grades,

It would be impossible to exaggerate the corruption which from this cause interpenetrated every fibre of the Church, filling benefices with ignorant and worldly men, eager to wring from the unfortunates committed to their cure the sums with which they had bought the preferment. Stephen Palecz, in a sermon preached before the Council of Constance, declares that there is scarce a church in Christendom free from the stain of simony, owing to the desperate struggle of all kinds of men to obtain the honors, wealth, and luxury attending an ecclesiastical preferment, and resulting in the promotion of the ignorant, weak, and wicked, who could not find employment as shepherds or swineherds. So unblushing was the venality of the Holy See that dialecticians and jurists of high authority seriously argued that the pope could not commit simony. This is scarce surprising when popes were found who could do a sharp stroke of business, like Boniface IX. In want of money to pay his troopers and defray the cost of his vast buildings, he suddenly deposed nearly all the prelates who chanced to be at the papal court, and many absent ones, or he translated them to titular sees, and then sold to the highest bidder the places thus vacated. Many unlucky ones, who were unable to buy back their preferment, wandered around the court without bread to eat, and the confusion and discord caused in many provinces was indescribable. Theodore a Niem, to whom we are indebted for this fact, was himself a papal official for thirty-five years, and knew whereof he spoke when he compared the splendid liberality of the German prelates with the stingy avarice of the Italians, who gave nothing in charity, but bent their whole energies to enriching themselves and their families. But when they die, he says, the collectors of the apostolic camera seize the whole spoil, and through this depredation and rapine it would be impossible to exaggerate the destruction of the Italian cathedrals and monasteries, which are left almost tenantless. As for the camera itself, its officials have hard heads and stony bosoms, and hearts more impenetrable to mercy than steel itself. They are as pitiless to Christians as Turks or Tartars could be, stripping all newly pro-

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and was instructed to distribute these favors so as to remove obstacles to the enterprise (Urbani PP. IV. Epistt. 32-35, 40, 64-5, 68; Clement. PP. IV. Epistt. 8, 19, 20, 41, 383.—*ap.* Martene Thesaur. II.).

moted prelates of everything. If the latter cannot pay their demands, forbearance for a time is sold at an immoderate price under terrible oaths, and if anything has been kept back for the expenses of the homeward journey it is extorted, so that whoever escapes from their clutches can truly say, *Cantabit vacuus coram latrone viator.* If you go there to pay a thousand florins and a single one is light, you are not allowed to depart till you have replaced it with a heavier one, or made good in silver twice the deficiency. And if, within a year, the promised sum is not paid, the bishop becomes a simple priest again, and the abbot a simple monk. Never satiated, the proper place of these officials is with the infernal furies, with the harpies, and with the unsatisfied Tantalus. Poggio, who was papal secretary for forty years, describes the applicants for preferment as worthy of these officials. They were idle, ignorant, sordid men, useless for all good purposes, who hung around the curia, clamoring for benefices or any other favor which they could get. Another papal official tells us that Boniface IX. filled the German sees with unfit and useless persons, for he who paid the most obtained the preferment. Many paid ten times more than it had cost their predecessors, for some archbishoprics fetched forty thousand florins, others sixty thousand, and others eighty thousand.*

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* Von der Hardt, I. XVI. 841.—D'Argentré I. II. 228.—Theod. a Niem de Schismate Lib. II. c. xiv.; Ejusd. Nemor. Unionis Tract. VI. c. 36, 37, 39.—Poggii Bracciol. Dialogus contra Hypocrisim.—Gobelini Personæ Cosmodrom. Æt. V. c. 85.

The question as to the possibility of a pope committing simony was long under discussion. At the Council of Lyons, in 1245, Guiard, Bishop of Cambrai, was asked by a cardinal if he believed it possible, when he rendered a most emphatic answer in the affirmative (Th. Cantimprat. Bonum Universale, Lib. II. c. 2). Thomas Aquinas not only asserts it, but adds that the higher the position of the offender the greater the sin (Summ. Sec. Sec. Q. 100, Art. 1, No. 7). Yet the venality of the Holy See was too notorious for concealment, and arguments were framed to prove that the pope had a right to sell preferments, for which see the *Aureum Speculum Papæ*, P. II. c. 1, written in 1404, under Boniface IX., and the laborious effort of William of Ockham to controvert the assertion. The ingenious methods of the curia to extract the last penny from applicants are described in P. I. c. v. of the Speculum. The author has no hesitation in pronouncing the curia to be in a state of damnation (Fascic. Rer. Expetend. et Fugiend. II. 63, 70, 81, 461). All who deplored the condition of the Church instinctively turned to the Holy See as the source of corruption and demoralization. Nothing can well

It was in vain that Gerson proved that the papal demand of first-fruits of preferments was simony. It was in vain that the councils of Constance and of Siena complained and protested, and that of Basle endeavored to frame reformatory regulations. Equally vain was the attempt of Charles VII. and the Emperor Albert II. in the Pragmatic Sanctions of 1438, against the protests of Eugenius IV., to declare the annates and first-fruits to be simony. The papal system was too strong for its grasp to be thrown off, and up to the time of the Reformation simony continued to be the all-pervading curse.*

In addition to this source of infection from above there was an equally potent cause of demoralization from below in the immunity enjoyed by the clergy from secular jurisdiction. Not only were the people scandalized by seeing clerical homicides and criminals of all sorts set free after the mockery of a trial in the ecclesiastical courts, but the impunity thus enjoyed drew into the ranks of the Church hosts of vile and worthless men, who sought in the tonsure security from justice.†

Under such a system it is easy to conceive the character of the prelates and priests with which the Church was everywhere afflicted.

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be conceived more terrible than the account of it given about this time by Cardinal Matthew of Krokow in his tract *De Squaloribus Romanæ Curiæ* (Ib. II. 584–607).

* Gersoni Tract. de Symonia.—D'Argentré I. II. 234.—Goldast. Constit. Imp. I. 402.

In *La déploration de l'Église militante* of Jean Boucher, in 1512, simony is described as the chief source of trouble—

"Ceste sixte gloute et insatiable
Du sanctuaire elle a fait ung estable,
Et de mes loys coustume abhominable.
Ha, ha, mauldicte et fausse symonie!
Tu ne cessas jamais de m'infester . . . .
Pour ung courtault on baille ung bénéfice;
Pour ung baiser ou aultre malefice
Quelque champis aura ung evesché;
Pour cent escus quelque meschant novice,
Pleiu de luxure et de tout aultre vice,
De dignitez sera tout empesché."

(Bull. de la Soc. de l'Hist. du Prot. Français, 1856, pp. 268–9).

† Vaissette, Éd. Privat, X. Pr. 242, 254.—See the author's "Studies in Church History," 2 Ed. pp. 210 sqq.

Making some allowance for rhetorical enthusiasm, the invective of Nicholas de Clemangis must be received as true. As for the bishops, he says, as they have to spend all the money they can raise to obtain their sees, they devote themselves exclusively to extortion, neglecting wholly their pastoral duties and the spiritual welfare of their flocks; and if, by chance, one of them happens to pay attention to such subjects, he is despised as unworthy of his order. Preaching is regarded as disgraceful. All preferment and all sacerdotal functions are sold, as well as every episcopal ministration, laying on of hands, confession, absolution, dispensation; and this is openly defended, as they say they have not received gratis, and are not bound to give gratis. The only benefices bestowed without payment are to their bastards and jugglers. Their jurisdiction is turned equally to account. The greatest criminals can purchase pardon, while their proctors trump up charges against innocent rustics which have to be compounded. Citations under excommunication, delays and repeated citations, are employed, until the most obstinate is worn out and forced to settle, with enormous charges added to the original trifling fine. Men prefer to live under the most cruel tyrants rather than undergo the judgments of the bishops. Absenteeism is the rule. Many of the bishops never see their dioceses; and these are more useful than those who reside, for the latter contaminate their people by their evil example. As no examination is made into the lives of aspirants to the priesthood, but only as to their ability to pay the stipulated price, the Church is filled with ignorant and immoral men. Few are able to read. They haunt the taverns and brothels, consuming time and substance in eating, drinking, and gambling; they quarrel, fight, and blaspheme, and hasten to the altar from the embraces of their concubines. Canons are no better; since, for the most part, they have bought exemption from episcopal jurisdiction, they commit all sorts of crimes and scandals with impunity. As for monks, they specially avoid all to which their vows oblige them—chastity, poverty, and obedience—and are licentious and undisciplined vagabonds. The Mendicants, who pretend to make amends for the neglect of duty by the secular clergy, are pharisees and wolves in sheep's clothing. With incredible eagerness and infinite deceit they seek everywhere for temporal gain; they abandon themselves beyond all other men to the pleas-

ures of the flesh, feasting and drinking, and polluting all things with their burning lusts. As for the nuns, modesty forbids the description of the nunneries, which are mere brothels; so that to take the veil is equivalent to becoming a public prostitute.*

We might suspect this to be the exaggeration of a soured ascetic if it were not for the unanimous testimony of all who describe the condition of the Church from the thirteenth century on. When St. Bonaventura defended the Mendicants against the charge of assailing, in their sermons, the vices of the secular clergy, he denied their doing so for the reason that any such arraignment would be superfluous; and, moreover, that if they were to unveil the full turpitude of the clerical class these would all be expelled, and there would be no hope of seeing their places more worthily filled, for the bishops would not select virtuous men. To do so, moreover, would deprive the people of all faith in the Church, and heresy would become uncontrollable. In another tract he declares that almost all priests were legally incapable of performing their functions, either through the simony attendant on their ordination or through the commission of crimes entailing suspension and deprivation. It was not infrequent, he says, for priests to persuade women that there was no sin in intercourse with a clerk.†

In 1305 Frederic of Trinacria, in a confidential letter to his brother, Jayme II. of Aragon, says that he has been led to doubt whether the Gospel was divine revelation or human invention, for three reasons. The first is the character of the secular clergy, especially of the bishops, abbots, and other prelates, who are destitute of all spiritual life, and are pestiferous in their influence through the public display of their wickedness. The second reason is the character of the regular clergy, and especially of the Mendicants, whose morals and lives stupefy all observers; they are so alienated from God that they justify the seculars and the laity by the comparison; their wickedness is so notorious that he fears that some day the people will rise against them, for they bring infection into every house which they frequent. The third

* Nic. de Clemangis de Ruina Ecclesiæ, cap. xix.–xxxvi.

† S. Bonaventuræ Libell. Apologet. Quæst i.; Tractatus quare Fr. Minores prædicent.

reason is the negligence of the Holy See, which of old, as we are told, used to send legates through the kingdoms to look after the condition of religion; but now this is never done, and they are sent only for worldly objects. We see, he says, that it labors without ceasing to slay schismatics, but we never see it solicitous to convert them. The eloquence of Arnaldo de Vilanova was required to persuade Frederic that all this was compatible with the truth of Christianity, and he undertook to introduce a reformation in his own kingdom, commencing with himself.*

Marsiglio of Padua may be a suspected witness when he assumes, as a universally recognized fact, the corruption of the mass of ecclesiastics. They despoiled the poor, they were insatiable in their greed, and what they wrung from their flocks was wasted in debauchery. Boys, unlettered men, unknown persons, were promoted to benefices, and the bishops, by their example, carried to destruction more souls than they saved by their teaching. But his contemporary, Alvaro Pelayo, the Franciscan penitentiary of John XXII., is beyond suspicion, and he describes the Church of his time as completely secularized. There is no act of secular life in which priests and monks are not busy. As for the prelates, he can only compare them to the fabled Lamia, with a human head and the body of a beast—a monstrous fury which tears its own offspring to pieces and destroys all within its reach. The prelates, he says, give no teaching to their people, but flay and rend them. The bread due to the poor is lavished on jesters and dogs. Faith and justice have abandoned the earth; there is no humanity or kindness; the voracious flame of wrath and envy destroys the Church and skins the poor with fraud and simony. Scripture and the canons are regarded as fables. Through the iniquity of the priests and prelates the evils gather, for they publicly pervert the law, they render false judgments, they add blood to blood, for many perish through their frauds and machinations. They gloss and declare the law as they choose. The doctors and prelates and priests shed the blood of the just. They take the broad path that leads to destruction, and will not enter, nor permit others to enter, the narrow way that conducts to eternal life. This description is fully borne out by a letter of Benedict XII. to

* Pelayo, Hcterodoxos Españoles, I. 721–3, 735–6.

the Archbishop of Narbonne, describing the utter demoralization of the clergy of his province, so lately purified of heresy by the tireless labors of the Inquisition.*

Benedict's well-intentioned effort at reformation was fruitless, and after his death matters only became worse, if possible. Under Clement VI. vices of all kinds flourished more luxuriantly than ever. In 1351 a Carmelite, preaching before the pope and cardinals, inveighed against their turpitude in terms which terrified every one, and caused his immediate dismissal. Shortly afterwards a letter was affixed to the portals of the churches addressed to the pope and his cardinals. It was signed Leviathan, Prince of Darkness, and was dated in the centre of hell. He saluted his vicar the pope and his servants the cardinals, with whose help he had overcome Christ; he commended them for all their vices, and sent them the good wishes of their mother, Pride, and their sisters, Avarice, Lust, and the rest, who boast of their well-being through their help. Clement was sorely moved, and fell dangerously sick, but the writer was never discovered. When Clement died, the next year, a majority of the cardinals were disposed to cast their votes for Jean Birel, Prior of the Grande Chartreuse, but the Cardinal of Périgord warned them that their favorite had such zeal for the Church, and was a man of such justice, equity, and disregard of persons, that he would speedily bring them back to their ancient condition, and that in four months their coursers would be converted into beasts of burden. Frightened at this prospect, they incontinently elected Innocent VI.†

These stories are verified by Petrarch's descriptions of the papal court at Avignon, wherein even his glowing rhetoric fails to satisfy the vehemence of his indignation, while the details which he gives to justify his ardor are unfit to repeat. It is the Western Babylon, and nothing which is told of Assyria or Egypt, or even of Tartarus, can equal it, for all such are fables by comparison. Here you find Nimrod and Semiramis, Minos and Rhadamanthus, Cerberus consuming all things, Pasiphaë under the bull, and

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* Marsil. Patav. Defensor Pacis II. xi. Cf. cap. xxiii., xxiv.—Alvar. Pelag. de Planct. Eccles. Lib. II. Art. vii.—Baluz. et Mansi, III. 24-5.

† Chron. Glassberger ann. 1335.—Albert. Argentinens. Chron. ann. 1351.—Hist. Ordin. Carthus. (Martene Ampl. Coll. VI. 187).

her offspring, the monster Minotaur. Here you see confusion, blackness, and horror. It is not a city, but a den of spectres and goblins, the common sink of all vices, the hell of the living. Here God is despised, money is worshipped, the laws are trodden under foot, the good are ridiculed till there scarce is one left to be laughed at. A deluge is necessary, but there would be no Noah, no Deucalion to survive it. Avignon is the woman clothed in purple and scarlet, holding the golden bowl of her abominations and the uncleanness of her fornications. He returns to the subject again and again with undiminished wrath, and he casually alludes to one of the cardinals as a man of a nobler soul, who might have been good had he not belonged to the sacred college. The mocking spirit of Boccaccio is equally outspoken. From the highest to the lowest, every one in the papal court is abandoned to the most abominable vices. The sight of it converts a Jew, for he argues that Christianity must be of God, seeing that it spreads and flourishes in spite of the wickedness of its head.*

Gregory XI. was the fiercest persecutor of heresy in the fourteenth century, incessantly active against Brethren of the Free Spirit, Waldenses, and Fraticelli. He could boast that even as his namesake and prototype, Gregory IX., had founded the Inquisition, so he had restored it and had extended it into Germany. Yet, with all this zeal for compelling unity of faith, St. Birgitta was divinely commissioned to convey to him this message from the Lord:

"Hear, ● Gregory XI., the words I say to thee, and give unto them diligent attention! Why dost thou hate me so? Why are thy audacity and presumption so great against me that thy worldly court destroys my heavenly one? Proudly thou despoilest me of my sheep. The wealth of the Church which is mine, and the goods of the faithful of the Church, thou extortest and seizest, and givest to thy worldly friends. Thou takest unjustly the store of the poor and lavishest it without shame on thy worldly friends. What have I done to thee, ● Gregory? Patiently have I suffered thee to rise to the high-priesthood, and I have foretold to thee my will by letters divinely sent to thee, warning thee of

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* Petrarchi Lib. sine Titulo Epistt. vii., viii., ix., xii., xvi.—Decamerone, Giorn. I. Nov. 2.

Petrarch's wrath at the papal court is explicable if there is truth in the disgusting story alleged in explanation of the enigmatical allusions in his Canzone XXII.—"*Mai non vo' più cantar com' io soleva.*"

the salvation of thy soul, and reproaching thy recklessness. How then dost thou repay my many favors? Why in thy court dost thou suffer unchecked the foulest pride, insatiable avarice, wantonness execrable to me, and all-devouring simony? Moreover, thou dost seize and carry away from me innumerable souls, for well-nigh all who go to thy court thou plungest into the fire of hell. . . . . Gird up thy loins, then, and fear not. Arise and bravely seek to reform the Church which I have purchased with my blood, and it will be restored to its former state, though now a brothel is more respected than it is. If thou dost not obey my command, know verily that thou wilt be condemned, and every devil of hell will have a morsel of thy soul, immortal and inconsumable."

In another vision St. Birgitta was ordered to represent to the pope the deplorable state of all orders of the clergy. Priests were rather pimps of the devil than clerks of God. The monasteries were well-nigh abandoned, mass was only celebrated in them intermittently, while the monks resided in their houses and had no shame in acknowledging their offspring, or wandered around, frequently clad in armor under their frocks. The doors of the nunneries were open night and day, and they were rather brothels than holy retreats. Such is the burden of St. Birgitta's repeated revelations, and nothing that Wickliff or Huss could say of the depravity of the clergy could exceed the bitterness of her denunciation.*

The inspiration of St. Catharine of Siena was equally outspoken. In her letters to Gregory XI., Urban VI., and the dignitaries who listened respectfully to her enunciations of the voice of God, her constant theme is the corruption of every rank in the hierarchy and the immediate necessity for reform. To Gregory she announces that God will sharply rebuke him if he does not cleanse the Church of its impurities; God demands of him to cast aside lukewarmness and fear, and to become another man, that he may eradicate the abundance of its iniquity. To Urban she says that it is not possible for him to put an end to the evil everywhere committed throughout Christendom, and especially by the clergy, but at least he can do what lies within his power. The prelates she describes as caring for nothing but pleasure and ambition; they

* Revelat. S. Brigittæ Lib. I. c. 41; Lib. IV. c. 33, 37, 142.

St. Birgitta was canonized in 1391 by Boniface IX., and after the Schism was healed this was confirmed in 1419 by Martin IV. Both popes ascribe her revelations to the Holy Ghost.

are infernal demons carrying off the souls of their subjects, they are wolves and traffickers in the divine grace. As for the priests, they are the exact opposites of what they should be, injuring all who come in contact with them; all their lives are corrupt, and they are not worthy to be called men, but, rather, beasts, wallowing in filth and indulging in all the wickedness craved by their bestial appetites; they are not guardians of souls, but devourers, delivering them up to the Wolf of Hell.* All these warnings fell upon deaf ears, and the Church, during the Great Schism, plunged, if possible, deeper into the pit of abominations.

In 1386 Telesforo, the hermit of Cosenza, could only explain the Schism by the wealth and worldliness of the clergy, whom God could only reform by stripping them of their temporalities and thus forcing them to live according to the gospel. Although Henry of Hesse disputed the prophetic gifts of Telesforo, he, too, had no hesitation in ascribing the Schism to the simony, avarice, pride, luxury, and vanity of the Church, and he can only explain it by God sometimes in his wrath allowing his servants to act according to their own evil desires. Even should the Schism be healed, he can only look forward to the Church falling from bad to worse until the coming of Antichrist. This he anticipates speedily, for all the prophetic signs are present in the extreme iniquity of the world. The insatiable avarice and ambition of clergy and laity will lead them to support any one who promises them worldly advantage, and they will unite in aiding Antichrist to conquer the world. Bad as were the attacks of heresy, he says, the peace now enjoyed by the Church after overcoming the heretics is even worse, for in it the evil spirits succeed in excluding virtues and substituting vices—a significant admission from an enthusiastic churchman of the result of the labors of the Inquisition.†

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* Epistole della Santa Caterina da Siena, Lett. 9, 13, 14, 15, 17, 18, 21, 35, 38, 39, 41, 44, 50, 91, etc. (Milano, 1843).

† Telesphori de magnis Tribulationibus (Venet. 1516, fol. 11).—Henrici de Hassia Lib. contra Thelesphori Vaticinia c. i., ii., x., xx., xxxvi., xxxvii., xli., xlii., (Pez, Thesaur. Anecd. T. I. P. II.).

Henry wrote a letter to the princes of the Church in the name of Lucifer, Prince of Darkness and Emperor of Acheron, similar to that which agitated Clement VI. in 1351 (Pez, Dissert. p. lxxix.).

These deplorable statements are confirmed by the supplication of the Council of Pisa in 1409 to Alexander V., and by the reformers who gathered around the Council of Constance in hopes of seeing it fulfil its functions of purifying the Church in its head and members—John Gerson, Cardinal d'Ailly, Cardinal Zabarella, Bernhardus Baptizatus, Theodoric Vrie. I have already quoted Nicholas de Clemangis, and need only say that the others were equally outspoken and equally full of detail, while the reformatory projects drawn up for consideration by the council are eloquent as to the evils which they were designed to remove. At first Sigismund and the Germans, with the French and English nations, were united in demanding that reformation should precede the election of a pope in place of the deposed John XXIII., but the close alliance formed between Sigismund and Henry V. alienated the French; by a skilful use of this they were won over, and the prospects of reform grew so desperate that Sigismund seriously contemplated seizing all the cardinals, as the main obstacle to the wished-for action, and removing them from Constance. On learning this, far from yielding, they put on their red hats and wore them in the streets as a token of their readiness to undergo martyrdom, and a paper was drawn up stigmatizing the English and Germans as Wickliffites and Hussites. The Germans responded in a vigorous protest, officially describing the condition of the Church in terms as decided as those employed by Nicholas de Clemangis. For this state of things they hold the Holy See solely responsible, for they date back these abuses to a time, a century and a half before, when the increasing pretensions of the curia enabled it to infect all Christendom with its vices, and they allude with special horror to the use of the papal penitentiary, worse than ordinary simony, whereby crimes were taxed in proportion to their heinousness and villainous traffic was made in sin. The Church, they concluded, had forfeited the reverence of the laity, which regarded it with contempt, as rather Antichristian than Christian. The steadfast attitude of the Germans, however, was weakened by the death of their strongest ally, Robert Hallam, Bishop of Salisbury, and two of Sigismund's most trusted prelates were bribed to betray the cause. The Archbishop of Riga, who was tired of his constant quarrels with the Teutonic knights, was promised the rich bishopric of Liége, and the Bishop of Coire was promised the archbishopric

of Riga. The opposition crumbled away, and Martin V. was elected. The French quickly saw their mistake, and appealed to Sigismund, who curtly referred them to the pope whom they had chosen, and who now had full power of granting or refusing reform. The council hurriedly adjourned after passing a few canons of little worth, and providing for a succession of general councils at short intervals.*

We have seen how reform was skilfully eluded at the Council of Siena in 1424. At Basle it fared no better. In 1435 Andreas, Bishop of Minorca, addressed to the Cardinal-legate Cesarini an exhortation in which he said, "Evils, sins, and scandals have so increased, especially among the clergy, that, as the prophet says, already accursed lying and theft, and adultery and simony, and murder and many other crimes have deluged the earth. . . . The avarice and lust of domination and the foul and abominable lives of the ecclesiastics are the cause of all the misfortunes of Christendom. The infidel and the heretic say that if the Christian faith and gospel law were true and holy, the prelates and priests would not live as they do, nor would the spiritual rulers work such confusion and scandal in Christendom without instant punishment from the Lord Jesus Christ, the founder of the gospel and the Church." Bishop Andreas further urged that the council condemn by an irrefragable decision the impious doctrine of some canonists that the pope cannot commit simony. Two years later, in 1437, John Nider, the Dominican, declared that the general reformation of the Church was hopeless, on account of the wickedness of the prelates and the lack of good-will of the clergy. Partial reforms might be practicable, but even in this the difficulty was almost insuperable. The council, he said, in its six years of existence had been unable to reform a single nunnery, although aided by all the force of the secular power.†

The council, indeed, attempted some reformation, but Eugenius IV. and his successors refused to observe its canons. Even in Germany and France the old abuses were reinstated, with their de-

* Libellus Supplex oblatus Papæ in Concilio Pisano (Martene Ampl. Coll. VII. 1124–32).—Von der Hardt, IV. 1414, 1417–18, 1422–3, 1426–7, 1432.—Rymer, X. 433–6.—Cobelini Personæ Cosmodrom. Æt. VI. cap. 96.

† Andreæ Gubernac. Concil. P. II., III., v. cap. 2 (Von der Hardt, VI. 175, 179, 209).—Nideri Formicar. Lib. I. c. vii.

plorable consequences. The writers of the period are as emphatic as their predecessors in describing the superabounding and universal turpitude of the Church during the remainder of the century. That they do not exaggerate may be assumed from one or two instances. In 1459 there died at Arras, at the age of eighty, Nicaise le Vasseur, canon and head of the chapter of Arras. He not only had daughters and committed incest with them, but also with a daughter-granddaughter whom he had by one of them. Yet so blunted was the moral sense of Church and people that, as we are told, this monster officiated "*très honorablement*" in divine service on all feasts and holidays, and the only comment of the chronicler is that he did it most becomingly. When, in 1474, the death of Sixtus IV. was received in Rome with a pæan of joy, people commented not so much upon his selling benefices to the highest bidder and his other devices of extorting money, as upon the manner in which he rewarded the boys who served his unnatural lusts by granting to them rich bishoprics and archbishoprics. Under such men as Innocent VIII. and Alexander VI., there could only be deeper degradation expected. Julius II. was a *condottiere* rather than a priest; but when political exigencies led him to summon the Lateran Council, earnest souls like Jacob Wimpfeling permitted themselves to hope that he would set bounds to the moral plague which pervaded all the churches. When he died, and Leo X. conducted the labors of the assembled fathers, Gianfrancesco Pico della Mirandola addressed him an epistle describing the evils for which reformation was requisite. It is a repetition of the old complaints. The worship of God was neglected, the churches were held by pimps and catamites; the nunneries were dens of prostitution, justice was a matter of hatred or favor; piety was lost in superstition; the priesthood was bought and sold; the revenues of the Church ministered only to the foulest excesses, and the people were repelled from religion by the example of their pastors. The author of a little anonymous tract printed about the year 1500 feels obliged to prove by laborious citations that fornication is forbidden to the clergy; and he attributes the contempt generally entertained for the Church to the openly scandalous lives of its members. To appreciate fully the effect on the popular mind of this degradation of the Church, we must keep in view the supernatural powers claimed and exercised by the priesthood, which made it the

arbiter of every man's destiny, for salvation depended not so much on individual desert as on the ministrations of those who controlled the sacraments. How benumbing was this influence on the moral faculties is visible in the confession of Anna Miolerin, one of the Tyrolese witches burned in 1506, where the spread of witchcraft is attributed to the sensual and drunken priests who are unable to confess their penitents properly, or to baptize children, so that the latter, unprotected by the sacrament, are easily betrayed to Satan. The priests, she says, ought to baptize children reverently and repeat all the words of the ceremony.*

As for monasticism, Abbot Trithemius gives us a vigorous sketch of its demoralization. The great Benedictine Order, the mother and exemplar of the rest, had been founded on a wise and comprehensive system, including productive labor in the fields and religious observances in the houses: but he tells us that the monks when abroad were idle and vain, and when inside the walls were abandoned to carnal delights, with nothing of decorous to show but the habit, and even this was mostly neglected. No one thought of enforcing the forgotten discipline. The monasteries had become stables for clerks, or fortresses for fighting-men, or markets for traders, or brothels for strumpets, in which the greatest of crimes was to live without sin. The abbots thought of nothing but of satisfying their appetites and vanities, their lusts, their ambition, and their avarice, while the brethren were monks only in name, and were vessels of wrath and sin. A confirmatory glimpse at the interior life of these establishments is afforded by Angelus Rumpherus, elected Abbot of Formbach in 1501, in his account of his immediate predecessor, Leonhard, who had ruled the abbey since 1474. He was especially fond of using torture, of which he had infinite ingenious varieties at his service. Unable to endure his tyranny, a monk named Engelschalk, a man of good natural parts and disposition, fled, but was taken sick and brought back. He

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* Fascic. Rer. Expetend. et Fugiend. I. 68, 417; II. 105 (Ed. 1690).—Herm. Ryd de Reen de Vita Clericor. (Ib. II. 142).—Mém. de Jacques du Clercq, Liv. III. ch. 43.—Steph. Infessuræ Diar. Urb. Roman. ann. 1474 (Eccard. Corp. Hist. II. 1939).—Wimpfeling de vita et moribus Episcoporum, Argentorati, 1512.—De Munditia et Castitate Sacerdotum (*sine nota*, sed Parisiis c. 1500).—Rapp, Die Hexenprocesse und ihre Gegner aus Tirol, p. 148.

was thrown into the dungeon of the abbey, a building without light and ventilation, except a narrow slit through which to pass in food. Here he died, without even the viaticum, his request for a confessor being refused, and when, as he was dying, the abbot and some of the monks entered, the blood flowed copiously from his nose, showing that they were his murderers.*

Under the guidance of a Church such as this, the moral condition of the laity was unutterably depraved. Uniformity of faith had been enforced by the Inquisition and its methods, and so long as faith was preserved, crime and sin were comparatively unimportant except as a source of revenue to those who sold absolution. As Theodoric Vrie tersely puts it, hell and purgatory would be emptied if enough money could be found. The artificial standard thus created is seen in a revelation of the Virgin to St. Birgitta, that a pope who was free from heresy, no matter how polluted by sin and vice, is not so wicked but that he has the absolute power to bind and loose souls. There are many wicked popes plunged in hell, but all their lawful acts on earth are accepted and confirmed by God, and all priests who are not heretics administer true sacraments, no matter how depraved they may be. Correctness of belief was thus the sole essential; virtue was a wholly subordinate consideration. How completely under such a system religion and morals came to be dissociated is seen in the remarks of Pius II. quoted above, that the Franciscans were excellent theologians, but cared nothing about virtue.†

This, in fact, was the direct result of the system of persecution embodied in the Inquisition. Heretics who were admitted to be patterns of virtue were ruthlessly exterminated in the name of Christ, while in the same holy name the orthodox could purchase

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* Joann. de Trittenheim Lib. Lugubris de Statu et Ruina Monast. Ord. c. i., iii. —Angeli Rumpheri Hist. Formbach. Lib. II. (Pez, I. iii. 446, 451-2).

This is by no means a solitary case. In 1329 the Abbot of La Grasse was by a judgment of the Parlement of Paris deprived for life of *haute justice*, and the abbey condemned in a fine of thirty thousand livres to the king and six hundred livres damages to victims, for murders committed, illegal tortures, and other crimes.—A. Molinier, Vaissette, Éd. Privat, IX. 417.

† Gersoni de Reform. Eccles. c. xxiv. (Von der Hardt, I. v. 125-8). —Theod. Vrie Hist. Concil. Constant. Lib. IV. Dist. vii.—Revel. S. Brigittæ Lib. VII. cap. vii.

absolution for the vilest of crimes for a few coins. When the only unpardonable offence was persistence in some trifling error of belief, such as the poverty of Christ; when men had before them the example of their spiritual guides as leaders in vice and debauchery and contempt of sacred things, all the sanctions of morality were destroyed and the confusion between right and wrong became hopeless. The world has probably never seen a society more vile than that of Europe in the fourteenth and fifteenth centuries. The brilliant pages of Froissart fascinate us with their pictures of the artificial courtesies of chivalry; the mystic reveries of Rysbroek and of Tauler show us that spiritual life survived in some rare souls, but the mass of the population was plunged into the depths of sensuality and the most brutal oblivion of the moral law. For this Alvaro Pelayo tells us that the priesthood were accountable, and that, in comparison with them, the laity were holy. What was that state of comparative holiness he proceeds to describe, blushing as he writes, for the benefit of confessors, giving a terrible sketch of the universal immorality which nothing could purify but fire and brimstone from heaven. The chroniclers do not often pause in their narrations to dwell on the moral aspects of the times, but Meyer, in his annals of Flanders, under date of 1379, tells us that it would be impossible to describe the prevalence everywhere of perjuries, blasphemies, adulteries, hatreds, quarrels, brawls, murder, rapine, thievery, robbery, gambling, whoredom, debauchery, avarice, oppression of the poor, rape, drunkenness, and similar vices, and he illustrates his statement with the fact that in the territory of Ghent, within the space of ten months, there occurred no less than fourteen hundred murders committed in the bagnios, brothels, gambling-houses, taverns, and other similar places. When, in 1396, Jean sans Peur led his crusaders to destruction at Nicopolis, their crimes and cynical debauchery scandalized even the Turks, and led to the stern rebuke of Bajazet himself, who as the monk of Saint-Denis admits, was much better than his Christian foes. The same writer, moralizing over the disaster of Agincourt, attributes it to the general corruption of the nation. Sexual relations, he says, were an alternation of disorderly lusts and of incest; commerce was nought but fraud and trickery; avarice withheld from the Church her tithes, and ordinary conversation was a succession of blasphemies. The Church, set

up by God as a model and protector for the people, was false to all its obligations. The bishops, through the basest and most criminal of motives, were habitual accepters of persons; they anointed themselves with the last essence extracted from their flocks, and there was in them nothing of holy, of just, of wise, or even of decent. Luke Wadding is a witness above suspicion; his conscientious study of original sources entitles his opinions to weight, and we may accept his description of Italy in the early part of the fifteenth century: "At that time Italy was sunk in vice and wickedness. In the Church there was no devotion, in the laity no faith, no piety, no modesty, no discipline of morals. Every man cursed his neighbor; the factions of Guelf and Ghibelline flooded the streets of the towns with fraternal blood, the roads were closed by robbers, the seas infested with pirates. Parents slew with rejoicing their children who chanced to be of the opposite faction. The world was full of sorcery and incantations; the churches deserted, the gambling-houses filled." The testimony is too uniform to explain it away with the assumption that it represents only the disenchantment of puritanism. Æneas Sylvius was no puritan, and his adventurous life had made him, perhaps, better acquainted with the whole of Christendom than any other man of his time, and in 1453 he says: "It is for this that I dread the Turks. Whether I look upon the deeds of princes or of prelates I find that all have sunk, all are worthless. There is not one who does right, in no one is there pity or truth. There is no recognition of God upon earth; you are Christians in name, but you do the work of heathen. Execration and falsehood and slaughter and theft and adultery are spread among you, and you add blood to blood. What wonder if God, indignant at your acts, places on your necks Mahomet, the leader of the Turks, like another Nebuchadnezzar, for you are either swollen with pride, or rapacious with avarice, or cruel in wrath, or livid with envy, or incestuous in lust, or unsparing in cruelty. There is no shame in crime, for you sin so openly and shamelessly that you seem to take delight in it." To what extent the Church was responsible for this may be judged by the terrible condition of Rome under Innocent VIII. as pictured in the diary of Infessura. Outrages of all kinds were committed with impunity so long as the criminal had wherewith to compound with the papal chancery;

and when Cardinal Borgia, the vice-chancellor, was reproached with this, he piously replied that God did not desire the death of the sinner, but that he should pay and live. A census of the public women showed them to number sixty-eight hundred, and when the vicar of the city issued a decree ordering all ecclesiastics to dismiss their concubines, Innocent sent for him and ordered its withdrawal, saying that all priests and members of the curia kept them, and that it was no sin.*

This was the outcome of the theocracy whose foundation had been laid by Hildebrand in the honest belief that it would realize the reign of Christ on earth. Power such as was claimed and exercised by the Church could only be wielded by superhuman wisdom. Human nature was too imperfect not to convert it into an instrumentality for the gratification of worldly passions and ambition, and its inevitable result was to plunge society deeper and deeper into corruption, as unity of faith was enforced by persecution. In this enforcement, as I have said, faith became the only object of supreme importance, and morals were completely subordinated, tending naturally to the creation of a perfectly artificial and arbitrary standard of conduct. If, to win the favor of Satan, a man trampled on the Eucharist believing it to be the body of Christ, he was not liable to the pains of heresy; but if he did so out of disbelief, he was a heretic. If he took interest for money believing it to be wrong, he was comparatively safe; if believing it to be right, he was condemned. It was not the act, but the mental process, that was of primary importance, and wilful wrong-doing was treated more tenderly than ignorant consciousness. Thus the divine law on which the Church professed to be founded was superseded by human law administered by those who profited by its abuse. As Cardinal d'Ailly tells us, the doctors of civil law regarded the imperial jurisprudence as more binding than the commands of God, while the professors of canon law taught that the papal decretals were of greater weight

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* Alvar. Pelag. de Planctu Eccles. Lib. II. Art. i., ii. — Meyeri Annal. Flandriæ Lib. XIII. ann. 1379. — Religieux de S. Denys, Hist. de Charles VI. Liv. XVI. ch. 10; Liv. XXXV. ch. 8. — Wadding. ann. 1405, No. 7. — Æn. Sylvii opp. inedd. (Atti della Accad. dei Lincei, 1883, pp. 558-9). — Steph. Infessuræ Diar. (Eccard. II. 1988, 1996-7).

than Scripture. Such a theocracy, practically deeming itself as superior to its God, when it had overcome all dissidence, could have but one result.*

When we consider, however, the simple earnestness with which such multitudes of humble heretics endured the extremity of outrage and the most cruel of deaths, in the endeavor to ascertain and obey the will of God in the fashioning of their lives, we recognize what material existed for the development of true Christianity, and for the improvement of the race, far down in the obscurer ranks of society. We can see now how greatly advanced might be the condition of humanity had that leaven been allowed to penetrate the whole mass in place of being burned out with fire. Unorganized and unresisting, the heretics were unable to withstand the overwhelming forces arrayed against them. Power and place and wealth were threatened by their practical interpretation of the teachings of Christ. The pride of opinion in the vast and laboriously constructed theories of scholastic theology, the conscientious belief in the exclusive salvation obtainable through the Church alone, the recognized duty of exterminating the infected sheep and preserving the vineyard of the Lord from the ravages of heretical foxes, all united to form a conservatism against which even the heroic endurance of the sectaries was unavailing. Yet there are few pages in the history of humanity more touching, few records of self-sacrifice more inspiring, few examples more instructive of the height to which the soul can rise above the weaknesses of the flesh, than those which we may glean from the fragmentary documents of the Inquisition and the scanty references of the chroniclers to the abhorred heretics so industriously tracked and so pitilessly despatched. Ignorant and toiling men and women — peasants, mechanics, and the like — dimly conscious that the system of society was wrong, that the commands of God were perverted or neglected, that humanity was capable of higher development, if it could but find and follow the Divine Will; striving each in his humble sphere to solve the inscrutable and awful problems of existence, to secure in tribulation his own salvation, and to help his fellows in the arduous task—these forgotten martyrs of

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* Pet. Alliacens. Principium in Cursum Bibliæ (Fascic. Rer. Expetend. II. 516). —Bernardi Comens. Lucerna Inquis. s. v. *Hæresis*, No. 21.

the truth drew from themselves alone the strength which enabled them to dare and to endure martyrdom. No prizes of ambition lay before them to tempt their departure from the safe and beaten track, no sympathizing crowds surrounded the piles of fagots and strengthened them in the fearful trial; but scorn and hatred and loathing were their portion to the last. Save in cases of relapse, life could always be saved by recantation and return to the bosom of the Church, which recognized that even from a worldly point of view a converted heretic was more valuable than a martyred one, yet the steadfast resolution, which the orthodox characterized as satanic hardening of the heart, was too common to excite surprise.*

This inestimable material for the elevation of humanity was plucked up as tares and cast into the furnace. Society, so long as it was orthodox and docile, was allowed to wallow in all the wickedness which depravity might suggest. The supreme object of uniformity in faith was practically attained, and the moral condition of mankind was dismissed from consideration as of no importance. Yet the incongruity between the ideal of Christianity and its realization was too unnatural for the situation to be permanent. In the Church as well as out of it there was a leaven working. While St. Birgitta was thundering her revelations in the unwilling ears of Gregory IX., William Langland, the monk of Malvern, sharpened his bitter denunciations of friar and prelate by remind-

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It would scarce seem possible that, in the full light of the nineteenth century, men could still be found hardy enough to defend the position of the Church towards heretics, but it is a sign of the progress of humanity that this is no longer done by justifying the irrefragable facts of history, but by boldly denying them. In a recent work by M. le Chanoine Claessens, "Camérier secret de Sa Sainteté," who informs us that after long and serious study of the original sources he writes with scrupulous impartiality and with the calmness befitting history, we are told that the penalty of the Church for public and obstinate heretics is simply excommunication, and that it has never allowed itself to employ any direct constraint, whether for the conversion of Jews and Pagans or to bring back wandering Christians to unity. At the same time he is careful to make the reservation that the Church possesses an incontestable right to use physical means to compel those who have been baptized to fulfil the obligations thus assumed.—Claessens, L'Inquisition et le régime pénal pour la répression de l'hérésie dans les Pays-Bas du passé, Tournhout, 1886, p. 5.

ing the common-folk that love and truth were the sole essentials of Christianity—

"Loue is leche of lyf and nexte owre lorde selve,
And also the graith gate that goth in-to heuene;
For-thi I sey as I seide ere by the textis,
Whan alle tresores ben ytryed treuthe is the beste.
Now haue I tolde the what treuthe is, that no tresore is bettere,
I may no lenger lenge the with, now loke the owre lorde!"

(VISION, I. 202-7.)

All such warnings, however, were disregarded, and in the hour of its unquestionable supremacy the sacerdotal system, which seemed impregnable to all assaults and to have no assailants, was on the eve of its overthrow. The Inquisition had been too successful. So complete had been the triumph of the Church that the old machinery was allowed to become out of gear and to rust for want of daily use. The Inquisition itself had ceased to inspire its old-time terror. For a century it had little to do save an occasional foray upon the peasants of the Alpine valleys, or an extortion on the Jews of Palermo, or the fomenting of a witchcraft craze. It no longer had the stimulus of active work or the opportunity of impressing the minds of the people with the certainty of its vengeance and the terrors of its holocausts.

At the same time the Great Schism had inflicted a serious blow upon the veneration entertained for the Holy See by both clergy and laity, which found expression in the great councils of Constance and Basle. Dexterous management, it is true, averted the immediate dangers threatened by these parliaments of Christendom, and the Church remained in theory an autocracy instead of being converted into a constitutional monarchy, but nevertheless the old unquestioning confidence in the vicegerent of God was gone, while the aspirations of Christendom grew stronger under repression. The invention of printing came to stimulate the spread of enlightenment, and a reading public gradually formed itself, reached and influenced by other modes than the pulpit and the lecture-room, which had been the monopoly of the Church. No longer was culture virtually the sole appanage of ecclesiastics. The New Learning spread among a daily increasing class the thirst for knowledge and the critical spirit of inquiry, which in-

sensibly undermined the traditional claims of the Church on the veneration and obedience of mankind.

Save in Spain, where racial divisions furnished peculiar factors to the problem, everything conspired to disarm the Inquisition and render it powerless when it was most sorely needed. Orthodox uniformity had been so successfully enforced that the popes of the fifteenth century, immersed in worldly cares beyond the capacity of the Inquisition to gratify, scarce gave themselves the trouble to keep up its organization; and, save when some madness of witchcraft called for victims, the people and the local clergy made no demand for vindicators of the faith. Scholastic quarrels, for the most part, were settled by the universities, which arrogated to themselves much of the jurisdiction of the Holy Office; and the episcopal ordinaries seemed almost to have forgotten the functions which were theirs by immemorial right.

Although German orthodoxy had been so uniform that the Inquisition there had always been weak and unorganized, yet Germany was the inevitable seat of the revolt. In England and France the power of a monarchy, backed by a united people, had set some bounds to papal aggression and assumption. In Italy the pope was regarded more as a temporal prince than as the head of the Church, and the Ghibellines had never hesitated to oppose his schemes of political aggrandizement. In Germany, however, the papal policy of disunion and civil strife had proved fatally successful, and since the untimely death of Louis of Bavaria there had been no central power strong enough to defend the people and the local churches from the avarice and ambition of the representatives of St. Peter. Luther came when the public mind was receptive and insubordinate, and when there was no organized instrumentality for his prompt repression. As I have already pointed out, his scholastic discussion as to the power of the keys seemed at first too insignificant to require attention; when the debate enlarged there were no means at hand for its speedy suppression, and, by the time the Church could marshal its unwieldy forces, the people had espoused his cause in a region where, as the Sachsenspiegel shows, there was no hereditary or prescriptive readiness to venerate the canon law. The hour, the place, and the man had met by a happy concurrence, and the era of modern civilization and unfettered thought was opened, in spite of the fact that

the reformers were as rigid as the orthodox in setting bounds to dogmatic independence.

The review which we have made of the follies and crimes of our ancestors has revealed to us a scene of almost unrelieved blackness. We have seen how the wayward heart of man, groping in twilight, has under the best of impulses inflicted misery and despair on his fellow-creatures while thinking to serve God, and how the ambitious and unprincipled have traded on those impulses to gratify the lust of avarice and domination. Yet such a review, rightly estimated, is full of hope and encouragement. In the unrest of modern society, where immediate relief is sought from the mass of evils oppressing mankind, and impatience is eager to overturn all social organization in the hope of founding a new structure where preventable misery shall be unknown, it is well occasionally to take a backward view, to tear away the veil which conceals the passions and the sufferings of bygone generations, and estimate fairly the progress already effected. Human development is slow and irregular; to the observer at a given point it appears stationary or retrogressive, and it is only by comparing periods removed by a considerable interval of time that the movement can be appreciated. Such a retrospect as we have wearily accomplished has shown us how, but a few centuries since, the infliction of gratuitous evil was deemed the highest duty of man, and we learn how much has been gained to the empire of Christian love and charity. We have seen how the administration of law, both spiritual and secular, was little other than organized wrong and injustice; we have seen how low were the moral standards, and how debased the mental condition of the populations of Christendom. We have seen that the Ages of Faith, to which romantic dreamers regretfully look back, were ages of force and fraud, where evil seemed to reign almost unchecked, justifying the current opinion, so constantly reappearing, that the reign of Antichrist had already begun. Imperfect as are human institutions to-day, a comparison with the past shows how marvellous has been the improvement, and the fact that this gain has been made almost wholly within the last two centuries, and that it is advancing with accelerated momentum, affords to the sociologist the most cheer-

ing encouragement. Principles have been established which, if allowed to develop themselves naturally and healthfully, will render the future of mankind very different from aught that the world has yet seen. The greatest danger to modern society lies in the impatient theorists who desire to reform the world at a blow, in place of aiding in the struggle of good with evil under the guidance of eternal laws. Could they be convinced of the advance so swiftly made and of its steady development, they might moderate their ardor and direct their energies to wise construction rather than to heedless destruction.

A few words will suffice to summarize the career of the mediæval Inquisition. It introduced a system of jurisprudence which infected the criminal law of all the lands subjected to its influence, and rendered the administration of penal justice a cruel mockery for centuries. It furnished the Holy See with a powerful weapon in aid of political aggrandizement, it tempted secular sovereigns to imitate the example, and it prostituted the name of religion to the vilest temporal ends. It stimulated the morbid sensitiveness to doctrinal aberrations until the most trifling dissidence was capable of arousing insane fury, and of convulsing Europe from end to end. On the other hand, when atheism became fashionable in high places, its thunders were mute. Energetic only in evil, when its powers might have been used on the side of virtue, it held its hand and gave the people to understand that the only sins demanding repression were doubt as to the accuracy of the Church's knowledge of the unknown, and attendance on the Sabbat. In its long career of blood and fire, the only credit which it can claim is the suppression of the pernicious dogmas of the Cathari, and in this its agency was superfluous, for those dogmas carried in themselves the seeds of self-destruction, and might more wisely have been left to self-extinction. Thus the judgment of impartial history must be that the Inquisition was the monstrous offspring of mistaken zeal, utilized by selfish greed and lust of power to smother the higher aspirations of humanity and stimulate its baser appetites.

APPENDIX.

I.

Confession of a Harboree of Spirituals.

(Doat, XXVII. fol. 7 sqq.)

This is one of twenty-two similar cases. The statements have every appearance of being drawn up to lay before an assembly of experts.

Johannes de Petra, sartor, filius quondam Guillelmi de Petra oriundus de parrochia Vallis diocesis Mimatensis, habitator Montispessulani, sicut per ipsius confessionem in judicio sub anno Domini MCCC vigesimo sexto mense Novembris et Januarii factam, legitime nobis constat a tribus vel quatuor annis ante tempus confessionis factæ per eum de infrascriptis contra Guillelmum Verrerii de Narbona et Petrum Dayssan de Biterris pro hæresi fugitivos in domo propria multo tempore receptavit, cum eis comedit et bibit, et ad diversa loca in eorum societate ivit, multosque alios fugitivos et alios de credentia beguinorum combustorum etiam in dicta domo sua vidit, et cum eis comedit et bibit frequenter, et etiam fratrem Raimundum Johannis apostatam ab ordine minorum et a fide fugitivum in dicta domo propria ad prandeudum invitavit, sibique comedere et bibere de suis bonis dedit, in festo fratris Petri facto per eos in Montepessulano interfuit et comedit, aliasque multipliciter et diversimode cum ipsis fugitivis et quibusdam aliis de credentia beguinorum conversatus fuit non cum omnibus simul et semel, sed diversis vicibus, nliquaudo cum uno, alias cum duobus vel pluribus, sicuti venicbant, sciens eos esse tales. Item ab eis fugitivis et beguinis seu aliquibus corum errores infrascriptos audivit, videlicet: quod beguini qui fueraut condemnati et combusti in Narboua, Capitestagno, Biterris, Lodeva et Lunello et alibi fueraut boni homines et catholici, et fuerant indebite et injuste condemnati, et quod erant sancti et martyres gloriosi; et idem audivit a quodam quem nomiuat dici de fratribus miuoribus Massiliæ combustis, videlicet quod eraut injuste condemnati, et quod eraut mortui sancti martyres gloriosi, et crant in Paradiso, et quod tenuerant sanctam vitam et bonam, et viam veritatis et paupertatis, et quod propter hoc inquisitores condemnabant eosdem. Item audivit ab eodem quem uominat quod dominus papa qui nunc est non est verus papa sicut fuit Sanctus Petrus nec habet illam potestatem quam Dominus Jesus Christus dederat beato Petro, quodque si fuisset verus papa non consentiret nec sustineret quod

dicti beguini et fratres minores condemnarentur qui tenebant viam Dei et veritatis. Item quod cardinales et alii prælati ecclesiæ Romanæ sustinebant et faciebant prædictas condemnationes propter favorem et timorem dicti domini papæ, dicens ipse Joannes quod inductus per dictum hominem prædictos errores credidit, scilicet dictos condemnatos credidit fuisse injuste condemnatos et esse sanctos et martyres gloriosos et esse in Paradiso, credidit etiam quod dominus papa non esset verus papa propter condemnationem prædictorum, sicut a prædicto homine et pluribus aliis quos nominat se asserit audivisse, et fuit in credentia prædictorum errorum ab illo tempore citra, quo prædictus homo sibi prædictos errores dixit usque ad illud tempus quo fuit in Montepessulano arrestatus de mandato inquisitoris, et tunc pœnituit ut asserit, de prædictis. Item audivit a quibusdam, scilicet a predicto Guillelmo Verrerii et aliis quod si unus homo fecisset votum eundi ad Sanctum Jacobum quod melius faceret si daret pecuniam illam quam expendere posset in via pauperibus latitantibus et non aliis qui publiæ mendicabant, quia S. Jacobus vel aliquis alius sanctus non indiget oblationibus quæ sibi offerebantur. Item quod si unus homo promiserit alicui sancto vel beatæ Mariæ virgini unam candelam vel ejus valorem, daret pauperibus, et hoc credidit ipse loquens et in ipsa credentia stetit per unum annum vel quasi sicut dixit; committens prædicta a prædicto tempore citra celavit ea nec confiteri voluit, donec captus est et longo tempore sub arresto positus et denique in muri carcere detentus fuit, et contra proprium juramentum de prædictis celavit et negavit expressius a principio veritatem, nec dictos fugitivos detexit nec capi procuravit, dicens se pœnitere.

II.

Bull of John XXII. Ordering the Transfer of Pierre Trencavel.

(Archives de l'Inquisition de Carcassonne.—Doat, XXXV. fol. 18.)

Johannes episcopus servus servorum Dei dilecto filio Michaeli Monachi de ordine fratrum minorum inquisitori hæreticæ pravitatis in partibus Proviuciæ auctoritate apostolica deputato salutem et apostolicam benedictionem. Ex insinuatione dilecti filii Joannis de Prato de ordine fratrum prædicatorum inquisitoris hæreticæ pravitatis in partibus Carcassonensibus auctoritate apostolica deputati nuper accepimus quod Petrus Trencavelli de Aurilhat Biterrensis diocesis, qui olim de crimine bæresis delatus et vehementer suspectus captus extitit et in muro inquisitionis Carcassonæ positus et detentus, de quo muro postmodum temerariis dicitur ausibus aufugisse, quodque factis subsequente rite processibus contra eum, ipsoque reperto de crimine hujusmodi culpabili et resperso, in sermone publico Carcassonæ de eodem fuit crimiue condemnatus tanquam hæreticus, necnon Andræa ejusdem Petri filia, de prædicto crimine vehementer suspecta et etiam fugitiva, mancipati tuis carceribus detinentur. Cum autem negotio fidei expediat quod præfati Petrus et Andræa, ut de aliis per ipsos ut fertur infectis, ipsorumque fautoribus in eis partibus possit haberi certitudo plenior, inquisitori restituantur prædicto, nos qui negotium hujusmodi ubique cupimus, Domino co-

operante, prosperari, præfati inquisitoris in hac parte supplicationibus inclinati, discretioni tuæ per apostolica scripta mandamus quatinus eidem inquisitori vel ejus certo nuncio prædictos Petrum Trencavelli et Andræam filiam ejus restituere, cessante difficultatis obstaculo, non postponas. Datum Avenione decimo secundo Kalendas Aprilis, Pontificatus nostri anno undecimo. (21 Mar. 1327.)

III.

Sentence of Naprous Boneta.

(Doat, XXVII. fol. 95.)

In nomine Patris et Filii et Spiritus Sancti, Amen. Cum nos fratres Henricus de Chamayo Carcassonæ et P. Bruni Tholosanus inquisitores, et Hugo Augerii et Durandus Catherini commissarii supradicti per inquisitionem legitime factam invenimus et per confessionem vestram fatam in judicio legitime nobis constat quod tu Naprous Boneta filia quondam Stephani Boneti de Sancto Petro de la Cadiera diocesis Nemausensis, habitatrix Montispessulani, contra veram fidem catholicam et ecclesiam Romanam sacrosanctam, potestati et auctoritati sanctæ sedis apostolicæ et domini summi pontificis detrahendo, de potestate et auctoritate ipsius vicarii Domini nostri Jesu Christi ac sacrosanctæ ecclesiæ principatum et fundamentum indissolubile, et claves ac sacramenta blasphemando et quantum in te est totaliter enervando, et male ac perverse sentiendo de fide, plures articulos sacris canonibus contrarios, hæreticales et erroneos sustinuisti et adhuc sustinere niteris animo pertinaci, sicque tam graviter in crimine hæreseos deliquisti prout est tibi lectum et recitatum intelligibiliter in vulgari; idcirco nos inquisitores et commissarii antedicti, præfati illius vestigiis inhærentes qui non vult mortem peccatoris, sed magis ut convertatur et vivat, te Naprous Boneta prædictam tantos et tam enormes errores et hæreses, ut præmittitur sustinentem et defendere volentem protervia improba et anima pertinaci, sæpe ac sæpius caritative prius per nostrum prædecessorem multipliciter monitam et rogatam iteratis vicibus, nihilominus requisivimus, rogavimus, monuimus et per probos viros religiosos et seculares moneri et rogari salubriter et humiliter fecimus ut a prædictis erroribus resilire et eos revocare verbo et animo ac etiam abjurare velles, redeundo fideliter et veraciter ad sanctæ matris ecclesiæ unitatem quæ claudere non consuevit, imo potius aperire gremium ad eam redire volenti; tu vero monitiones et requisitiones hujusmodi et preces admittere hactenus recusasti et adhuc etiam recusas tuæ sævitiæ inhærens et insuper asserens te velle in ipsis erroribus et hæresibus, quos veros et catholicos asseris, vivere atque mori, nolens nostris et peritorum proborumque virorum in sacra scriptura et in utroque jure doctorum consilio credere, quoquomodo attento per nos, et viso per experientiam manifestam quod per impunitatis audaciam fiunt qui nequam fuerunt quotidie nequiores, ex nostro compulsi officio, ad quod cum diligentia exercendum ex præcepto sanctæ obedientiæ obligamur, nolentes sicuti nec debemus tam nefanda et totæ ecclesiæ et fidei catholicæ obviantia periculosissime ulterius tolerare, de multorum virorum religiosorum et secularium peritorum in utroque jure super præmissis

consilio præhabito diligenti, Deum habentes præ oculis, sacrosanctis evangeliis Jesu Christi positis coram nobis ut de vultu Dei nostrum prodeat judicium et rectum appareat coram Deo, oculique nostri videant æquitatem, hac die loco et hora præsentibus per nos peremptorie assignatis ad audiendum diffinitivam sententiam, sedentes pro tribunali, Christi nomine invocato, te Naprous, in et cum his scriptis pronuntiamus, judicamus et declaramus esse hæreticam et hæresiarcham impœnitentem et in tua duritia pertinacem, et ecclesia non habeat quid ulterius faciat de talibus, te, tanquam hæreticam et hæresiarcham impœnitentem et obstinatam relinquimus curiæ sæculari, eamdem curiam rogantes, prout suadent canonicas sanctiones, ut tibi vitam et membra citra mortis periculum illibata conservet.

IV.

Confession of a Fraticello of Languedoc.

(Doat, XXVII. fol. 202.)

Frater Bartholomeus Bruguiere, sicut per ipsius confessionem sub anno Domini MCCCXXVIII. mense Februarii factam in judicio, legitime nobis constat, quod quibusdam quos nominat dixit: *Loquamur de istis papis*, intelligendo sicut dixit, de Domino Joanne Papa XXII. et de illo Italico, sic intruso, et subjunxit in veritatem: "Modo dum Missam celebrabam, et fui in illo puncto in quo est orandum pro Papa nostro, steti ibi aliquandiu rogitans et hesitans pro quo istorum Paparum orare debuerem, et dum sic stetissem per aliquod spatium, non procedens ultra, cogitavi quod unus illorum ecclesie regimen usurpabat, alio existente vero Papa, et idcirco volui quod oratio mea esset pro illo qui juste regimen Ecclesie tenebat, quicunque esset ille." Nec dixit quid determinasset se ad unum nec ad alium predictorum. Item dixit duobus fratribus predicatoribus: "Vos alii fratres habetis bonum tempus in isto Papa in istis partibus, et fratres nostri malum, sed in Lombardia cum illo Papa Italico est totaliter contrarium." Dixit enim quod audiverat quod in creatione illius Pape italici fuerunt septuaginta prelati. Item dum citatus veniret ad inquisitoris penitentiam et jurasset ad sancta Dei Evangelia certa hora in ejus presentia comparere, hoc non obstante non comparuit, sed abscondit se nolens venire ad inquisitoris mandatum. Item frequenter audivit multos fratres sui ordinis qui dicebant quod bene staret, quod Deus daret Domino Joanni Pape tales facendas quod de negotiis illius ordinis non recordaretur, quia videbatur dicti fratribus quod dictus dominus Papa non haberet aliquid pungere vel restringere nisi ordinem eorumdem, et dixit seipsum dixisse predicta cum aliis; causam suam et dictorum fratrum quare ista dicebant assignavit, quia dominus Papa revocaverat constitutionem per quam dicebant procuratores suos esse procuratores ecclesie Romane. Item dixit quod audivit frequenter a multis fratribus sui ordinis fratrem Michaelem quondam suum ministrum generalem esse injuste depositum et excommunicatum. Item dixit quod dum semel predicabat dixit ista verba: "Dicitur quod habemus duos Papas, et tamen ego credo unum esse verum Papam," et, aliquibus verbis interjectis, subjunxit hec verba: "Teneant se ergo cum fortiori." Item dixit quod dum semel

in magna societate fratrum diceret: "Utinam iste Antipapa esset de ordine predicatorum, vel de statu alio" respondit unus de fratribus: "Plus volo quod dictus Antipapa sit de ordine nostro, quia si esset de statu alio, tunc nec ipsum nec istum Joannem Papam haberemus amicum, et tandem istum Italicum habemus amicum." Cujus dicto applauserunt omnes presentes dicentes: "Bene comedit se et rodit semetipsum modo iste Papa Joannes;" et videbatur ipsi qui loquitur, sicut dixit, quod de ruina, infortuniis ecclesie que Domino Joanni pape contingebant, tempore sui regiminis, multum gaudebant. Hec omnia audivit ipse qui loquitur, nec revelavit. Item, mense Maii sequenti, ipse predicta verba que debuit dicere in sermone, videlicet: "Habemus duos Papas, teneamus nos cum fortiori" revocat tanquam falso confessata per eumdem, quam confessionem fecerat, sicut dixit, metu carceris et catene et jejunii et aque, de quibus sibi plurimi minabantur ut dixit. Premissa omnia alia asserit esse vera, dixit tamen quod, istis non obstantibus, nunquam credidit quin dominus noster Papa Joannes XXII. esset verus Papa. Postque, anno quo supra, die nona Septembris, sentiens et videns se convictus per testis super verbis predictis in ipso sermone prolatis, rediit ad confessionem predictam, et ab ipsa revocatione penitus resilivit et se supposuit misericordie Inquisitoris.

(Doat, XXXV. fol. 87.)

Joannes episcopus, servus servorum Dei, dilecto filio Inquisitori heretice pravitatis in partibus Carcassonensibus, auctoritate apostolica deputato, salutem et apostolicam benedictionem. Exposuit nobis dilectus filius Raimundus de Ladots ordinis fratrum minorum, ejusdem ordinis procurator generalis, quod licet Bartholomeus Brugerie olim predicti ordinis jamdudum, suis culpis et delictis exigentibus, per dilectum filium Geraldum Ottonis ipsius ordinis generalem ministrum ab eodem ordine fuerit per sententiam definitivam expulsus, tu tamen ipsum ratione criminis heresis de qua se respersum reddidit et convictum, cum habitu dictorum fratrum detines tuis carceribus mancipatum; sane quia in opprobrium redundaret fratrum et ordinis predictorum si dictus Bartholomeus postquam sic expulsus extitit ab eorum ordine ipsorum habitum in carceribus gestaret predictis, discretioni tue per apostolica scripta mandamus quatenus habitum ejusdem Bartholomei prefato procuratori vel dilecto filio guardiano fratrum ejusdem ordinis Carcassone studeas quantocius assignari. Datum Avenione decimo sexto Kalendas Octobris, Pontificatus nostri anno quintodecimo (16 Sep. 1331).

V.

Extracts from the Sentence of Cecco d'Ascoli.

Senza nissuna opressione di forza per sua libera e spontanea voluntà costituito dinanzi a noi in giudizio disse e confessò che mentre che fu citato e ricevuto per il religioso e reverendo Fr. Lamberto del Cordiglio del Ordine de' Predicatori, inquisitore dell' eretica pravità della Provincia de Lombardia comparse di-

nanzi a lui e confessò in giudizio che elli aveva detto e dogmatizato publicamente, leggendo che un uomo poteva nascere sotto la Costellazione che necessariamente fosse rico o povere e d' esser decapitato o appiccato, se Iddio non mutasse l'ordine della natura, nè altrimenti potesse essere parlando della potenza di Dio ordinata, overo ordinario, benchè per potenza assoluta di Dio potesse essere altrimenti.

Ancora che aveva detto in una certa sua lezione che dal segno dell' ottava sfera nascono homini felici di divinità, i quali si chiamo *dijnabet*, i quali mutano le leggi secondo più o meno, come fu Moyse, Ermete Mello e Simone Mago.

Ancora che egli aveva detto e dogmatizato perchè Cristo figliolo di Dio ebbe nella sua nascita la Libra nel decimo grado d' essa per ascendente, che per ciò doveva essere giusta la sua morte per destinazione, e doveva morire di quella morte e modo che morì, e perchè Cristo ebbe il Capricorno nell' angolo della terra però nacque in una stalla, e perchè ebbe lo Scorpione in secondo grado, però doveva esser povero, e perchè l' istesso Cristo ebbe Mercurio in Gemmini in casa propria nella nona parte del cielo, però doveva avere scienza profonda data sotto metafora.

Ancora perchè aveva detto che l' istesso Anticristo era per venire in forma di buon soldato et accompagnato nobilmente, ne verrà in forma di poltrone, como venne Cristo accompagnato da poltroni—

— Ancora disse e confessò che doppo la predetta abiurazione e penitenza . . . confessò d' aver osservato le costellazioni de' corpi celesti e che secondo il corso della stella crede che nascono i costumi degli huomini e azioni e fini e che secondo queste cose giudicò nel comprare e vendere per argomentare il bene e schifare il male, et ancora nel fare esercizij et altre azzioni umane.

Ancora disse e confessò che quando fu interrogato da un certo fiorentino rispose che credeva esser vere quelle cose che si contengono nell' arte magica o Negromantia, e replicando il medesimo fiorentino che se fosse vero i principi e potenti huomini nel mondo acquisterebbero tutto, rispose e disse che non s'acquistano perchè non sono in tutto il mondo tre astrologi che sappiano servirsi bene di quell' arte, e questo disse aver detto per se medesimo perchè fecce più in quell' arte astrologica che alcun altro che fosse stato da Tolomeo in qua—

— Pronunciamo in questi scritti il predetto Maestro Cecco eretico a sentire questa sentenza, e costituto in nostra presenza di essere ricaduto nella eresia abiurata e di essere stato relasso, e per questo doversi rilassare al giudizio secolare, e lo rilasiamo al nobil soldato e cavaliere illustrissimo signor Jacopo da Brescia Vicario fiorentino di questo ducato presente e recipiente, che lo debba punire con debita considerazione, e di più che il suo libretto e scritto superstizioso pazzo e negromantico fatto dal detto Maestro sopra la sfera, pieno di eresie falsità e ingane, et un cert' altro libretto volgare intitolato Acerbo, il nome del quale esplica benissimo il fatto, avenga che non contenga in se maturità o dolcezza alcuna Cattolica, ma v' abbiamo trovato molte acerbità eretiche e principalmente quando v' include che si appartengouo alla virtù e costume che riduce ogni cosa alle stelle come in causa, e dannando i loro dogmi e dottrine e riprovandoli deliberiamo e comandiamo per sentenza doversi abbrucciare, et al eretico

desideraudo toglier la veua della fonte pestifera per qualsivoglia meato derivino—

— Il sopradetto Signor Vicario immediatamente e senza dilazione mnndando per il capitano e sua famiglia il predetto Maestro Cecco al luogo della giustizia dinanzi ad una moltitudine grande radunata di popolo in quel luoga, lo fece abbrucciare come richiedevano li suoi errori, sino alla morte sua penale, et a terrore et esempio di tutti gli altri, come riferiscono di aver visto con li proprij occhij Signor Vandi dal Borgo, Borghino di Maestro Chiarito dal Prato, Manovello di Jacopo, e Giovanni Serafino, familiari dell' Uffizio andando all'istesso lnogo, come in Firenze e publico e per evidenza del fatto manifesto.

VI.

Sentence of a Carmelite Sorcerer.

(Archives de l'Inquisition de Carcassone.—Doat, XXVII. fol. 150.)

In nomine Domini amen. Quouiam nos frater Dominicus Dei gratia et apostolicæ sedis Appamiæ episcopus et fratres Henricus de Chamayo Carcassonæ et P. Bruni Tholosanus ordinis prædicatoruui inquisitores hæreticæ pravitatis in regno Franciæ auctoritate apostolica deputati, per tuam confessionem propriam in judicio legitime factam coram reverendo patre in Christo domino Jacobo tunc Appamiæ episcopo nuuc vero sedis apostolicæ cardinalis,* et postmodum coram nobis per te recognitam, et etiam duobus vicibus confirmatam legitime invenimus et nobis constat quod tu, frater Petrus Recordi ordinis beatæ Mariæ de Carmelo a quinque annis ante confessionem per te factam in judicio de infrascriptis et citra diversis temporibus et locis, diabolico seductus consilio et libidinis ardore succensus, voto castitatis quod in professione tui ordinis emiseras, pro dolor l violato, multa gravia et enormia commisisti sortilegia hæresim sapientia, modis et conditionibus variis et abominabilibus, etiam recitatione indignis, et inter alia quinque imagines cereas diversis temporibus succesive fecisti et fabricasti, multas et diversas dæmonum conjurationes et iuvocationes dicendo dum dictas imagines fabricabas, et quamplurima venenosa etiam immiscendo, et sanguinem bufonis terribili et horribili modo extractum infra dictas imagines infundendo et ipsas imagines supra unam tabulam tapazeto vel panno coopertam prostratas de sanguine narium tuarum in ventre spargendo et etiam de saliva tua immiscendo, intendens per hoc diabolo sacrificare, quas imagines sic factas et aliis modis recitatione indignis ponebas clandestine in limine hospitiorum aliquarum mulierum quas cognoscere volebas carnaliter, et de quarum numero tres isto modo habuisti et carnaliter cognovisti et duas alias cognovisses carnaliter nisi de loco ad locum per ordinem tuum transmissus fuisses; et cognitis eisdem

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* Jacques Fournier (subsequently Benedict XII.) was made Cardinal of S. Prisca in the creation of December 18, 1327, but he had been previously translated from the see of Pamiers to that of Mirepoix (Ciacconli Vit. Pontif. Ed. 1677, II. 424). Pierre Recordi's trial must, therefore, have endured for at least several years.

mulieribus et cum eis actu luxuriæ perpetrato dictas imagines recipiens easdem in flumine jaciebas et unum papilionem dabas diabolo in sacrificium, et ejusdem diaboli præsentiam per ventum aut alias sentiebas, credens dictas imagines habere virtutem astringendi dictas mulieres ad amorem tui vel si consentire nollent per dæmones affligendi, et in dicta credentia stetisti per sex annos vel circa usque captus fuisti. Item quamdam de imaginibus prædictis in ventre percussisti, et inde sanguis exivit. Item cuidam personæ quam sciebas esse de hæresi culpabilem, in muro de Alemannis detentæ favorem impertivisti quamdam cedulam manu tua scriptam cum qua se defenderet scribendo et tradendo eidem, et multa alia sortilegia commisisti quæ prolixum esset referre et audientibus forte tædiosum. Multociens in confessionibus tuis variasti et revocasti eas sæpius contra juramentum proprium temere veniendo. Demum tamen ad cor rediens ad istas confessiones pristinas redeundo et eas ratificando et approbando tanquam veras, dixisti te corde et animo pœnitere et velle redire ad viam veritatis, et sanctæ matris ecclesiæ unitatem, suppoenes te humiliter misericordiæ ejusdem sanctæ matris ecclesiæ ac nostræ et petens absolutionis beneficium a sententia excommunicationis, quam pro præmissis culpis incurreras tibi per nos misericorditer impendi, offerendo te paratum portare et complere humiliter pro posse pœnitentiam quam pro prædictis et aliis per te commissis tibi duxerimus injungendam. Idcirco nos episcopus et inquisitores præfati, attenta gravitate culparum tuarum prædictarum et aliarum quæ commisisti, et revocationes varias quas fecisti, considerantes rectæ intentionis oculo quod si talia nefanda crimina transires impune, forsitan ad eadem vel similia imposterum iteranda facilius relaberēris et mala malis ultimaque pejora prioribus aggregares; quodque si austeritatem justitiæ et rigorem apud te vellemus cum totali severitate judicialiter exercere gravibus pœnis et quasi insupportabilibus puuire deberes, quia tamen ecclesia non claudit gremium redeunti humiliter misericordiam et gratiam postulanti, æstimantes et per experientiam æstimantes te corde bono et intentione non ficta demum fuisse confessum, et recognovisse de te et aliis veritatem, necnon toto posse ad promotionem negotii inquisitionis existens in carcere cum quibusdam personis de hæresi culpabilibus et delatis, veritatem super dicto crimine celantibus et confiteri nolentibus, ad confitendum multipliciter induxisti multaque gravia quæ ab ipsis audiveras revelare curasti, de quibus in fidei negotio et dictæ inquisitionis officio bonum spirituale non modicum provenit et in futurum etiam provenire poterit, Domino annuente, propter quod majori gratia et misericordia te reddidisti in hoc casu spiritualiter digniorem, et insuper pensato dicti ordinis tui honore, cui quantum bono modo potcrimus deferre volumus, et ipsius confusionem effugere, gratiose in facto hujusmodi procedentes, te præfatum fratrem Petrum Recordi a sententia excommunicationis qua ligatus eras pro culpis prædictis, abjurata primitus per te in judicio coram nobis omni imaginum talium indebita fabricatione, adoratione, et dæmonum sacrificiis et immolatione, ac credentia sortilegiorum aliorum quorumcumque hæreticam sapientium pravitatem, et aliam quamcumque et specialiter omnem fautoriam hæreticorum et etiam hæresim necnon credentiam et receptationem et fautoriam sortilegorum et hæreticorum quorumcumque, de peritorum consilio super hoc habito misericorditer

duximus absolvendum, et sedentes pro tribunali, sacrosanctis Dei evangeliis positis coram nobis, ut de vultu Dei nostrum prodeat judicium, et oculi nostri videant æquitatem rectum quoque appareat coram ipso, hac die loco et hora præsentibus tibi per nos peremptorie assignatis, de prædictorum peritorum consilio, in et cum his scriptis, per hanc nostram diffinitivam sententiam dicimus et pronunciamus te fuisse sortilegum ac immolatorem dæmonum et fautorem hæreticorum et te tanquam talem et corde non ficto ut asseris pœnitentem et ad sinum matris ecclesiæ reversum, et nostris mandatis obedire paratum, promittentemque pro posse tuo complere pœnitentiam tibi per nos injungendam in et cum eisdem præsentibus scriptis te primitus omni sacerdotali et quocumque alio ecclesiastico seu clericali ordine dicimus et decernimus degradandum, et te sicut præmittitur postquam degradatus fueris ad agendum pœnitentiam pro commissis ex nunc pro tunc et ex tunc pro nunc ad perpetuum carcerem in Tholosano conventu tui ordinis tibi per nos deputatum sententialiter condemnamus et etiam adjudicamus; in quo quidem carcere in vinculis et compedibus ferreis detineri et panem et aquam dumtaxat pro omni cibo et potu tibi ministrari volumus et mandamus, ut ibidem perpetuo peccata tua defleas et panem pro cibo doloris et aquam pro potu tribulationis habeas et recipias patienter; ita quod vivere inibi sapiat tibi mortem, et mors quam ibi tuleris tibi vitam tribuat sempiternam. Verum si, quod absit et Deus avertat, te in posterum antequam ad dictum carcerem venias vel in ipso fueris intrusus, diabolico instinctu fugere contigerit vel ipso carcere modo quolibet exire vel frangere absque nostro speciali mandato vel licentia et negligere aut non complere pœnitentiam prædictam tibi per nos impositam, volumus, ordinamus, et præsentis scripti serie declaramus absolutionem per nos et gratiam tibi factam penitus esse nullam, et te tanquam impœnitentem ficteque et dolose conversum, pristinæ excommunicationis vinculo fore totaliter irretitum. Porro, ne priores et fratres dicti conventus ubi fueris in carcere detrusus negligenter aut scienter te permiserint evadere vel licentiam dederint evadendi, vel procurantibus assenserint, opem vel auxilium dederint scienter, protestamur eisdem et auctoritate qua fungimur nobis et nostris in officio successoribus potestatem specialiter reservamus procedendi contra ipsos et eorum quemlibet prout de jure, stylo, cursu, usu et privilegiis inquisitionis fuerit procedendum; retinemus autem nobis et nostris in hoc officio successoribus liberam potestatem et auctoritatem mutandi in dicta pœnitentia, et eam mitigandi vel minuendi, vel ipsam totaliter remittendi, si et quando et prout de peritorum consilio nobis visum fuerit faciendum, et in favorem tui ordinis super degradatione actualiter facienda de speciali gratia dispensamus, et dictam degradationem facere nec fieri volumus ob reverentiam ordinis memorati. Lata fuit hæc sententia anno Domini MCCC vicesimo octavo, die Martis in crastino festi Sti. Marcelli (17 Jan. 1329), indictione XII., pontificatus SS^mi^ patris et domini, Domini Joannis divina providentia papæ XXII. anno decimo tertio, in aula episcopali urbis Appamiæ, præsentibus venerabilibus et discretis viris (sequuntur 43 nomina), testibus. . . et notariis . . . .

VII.

Bull of John XXII. Removing Sorcery from the Jurisdiction of the Inquisition.

(Archives des Frères-prêcheurs de Toulouse.—Doat, XXXIV. fol. 181.)

Johannes episcopus servus servorum Dei venerabilibus fratribus archiepiscopo tholosano ejusque suffraganeis et dilecto filio inquisitori hæreticæ pravitatis in regno Franciæ per sedem apostolicam deputato, Tholosæ residenti, salutem et apostolicam benedictionem. Dudum venerabilis frater noster Guillelmus episcopus Sabinensis scripsit tibi, fili inquisitor, de mandato nostro per suas litteras in hac forma: Guillelmus miseratione divina episcopus Sabinensis religioso viro inquisitori hæreticæ pravitatis in partibus tholosanis salutem in Domino sempiternam. Sanctissimus pater noster et dominus, dominus Johannes divina providentia papa vicesimus secundus optans ferventer maleficos infectores gregis Dominici effugare de medio domus Dei, vult, ordinat, vobisque committit quod auctoritate sua contra eos qui dæmonibus immolant vel ipsos adorant aut homagium ipsis faciant, dando eis in signum cartam scriptam seu aliud quodcumque; vel qui expressa pacta obligatoria faciunt cum eisdem, aut qui operantur vel operari procurant quamcumque imaginem vel quodcumque aliud ad dæmonem alligandum seu cum dæmonum invocatione ad quodcumque maleficium perpetrandum, aut qui sacramento baptismatis abutendo imaginem de cera seu re alia factam baptizant, sive faciunt baptizare, seu alias cum invocatione dæmonum ipsam fabricant quomodolibet, aut faciunt fabricari, aut si scienter baptismus seu ordo vel confirmatio iterantur. Item de sortilegis et maleficis qui sacramento eucharistiæ seu hostia consecrata necnon et aliis sacramentis ecclesiæ, seu ipsorum aliquo, quoad eorum formam vel materiam utendo eis in suis sortilegiis seu maleficiis abutuntur, possitis inquirere et alias procedere contra ipsos, modis tamen servatis qui de procedendo cum prælatis in facto heresis vobis a canonibus sunt præfixi. Ipse namque dominus noster præfatus potestatem inquisitoribus datam a jure quoad Inquisitionis officium contra hæreticos, necnon et privilegia, ad prætactos casus omnes et singulos ex certa scientia ampliat et extendit quoadusque duxerit revocandum. Nos itaque præmissa omnia vobis significamus per has nostras patentes litteras de præfati Domini nostri Papæ speciali mandato facto nobis ab ipso oraculo vivæ vocis. Datum Avenione die vicesima secunda mensis Augusti anno Domini MCCC vicesimo, pontificatus prædicti Domini Papæ anno quarto. Sane noviter intellecto quod errores et abominationes in eisdem litteris comprehensi in partibus illis, de quibus in litteris ipsis habetur mentio, adhuc vigent, nos cupientes super ipsis, ne deinceps pullulent, plenius providere, discretioni vestræ præsentium tenore committimus et mandamus quatinus omnes inquisitiones quas auctoritate litterarum hujusmodi, vos, fratres Archiepiscope et suffraganei, prout quemlibet vestrum tangit, et tu inquisitor præfate, cum singulis eorumdem insimul, vel tu inquisitor solus per teipsum inchoastis, si completæ non fuerint, vos, Archiepiscope et suffraganei, quilibet vestrum videlicet in sua diocesi per se vel alium, quem ad hoc deputandum duxeritis, et

tu inquisitor prædicte, insimul celeriter compleatis; quas postquam compleveritis una cum illis quæ jam per te solum, præfate inquisitor, forsitan sunt completæ, nobis sub vestris sigillis fideliter interclusas quanto citius poteritis transmittatis, ut eis visis quid faciendum sit tam super illis de quibus fuerit inquisitum, quam super omnibus cæteris de quibus nondum est inceptum inquiri, plenius et certius, auctore Domino, disponamus. Tu vero, inquisitor prædicte, super illis de quibus adhuc inquirere non cœpisti prætextu dictarum litterarum, nisi forsan aliud a nobis receperis in mandatis, te nullatenus intromittas. Per hæc autem non intendimus vobis vel vestrum alicui, quantum ad illa quæ a jure vobis alias sunt permissa, in aliquibus derogari. Datum Avinione secundo Nonas Novembris, pontificatus nostri anno decimo quinto (Nov. 4, 1330).

VIII.

Decision of the Council of Venice Concerning the Witches of Brescia.

(Archivio di Venezia, Misti Cons. X. Vol. 44, p. 7.)

1521 Die 21 Martii in Cons. X. cum additione. È sta sempre instituto del religiosissimo stato nostro in scontar li heretici et extirpar cussi detestando crimine, siccome nella promission del Serenissimo Principe et capitular de conseieri nei primi capituli se leze. Dal che sine dubbio è processa la protectione che sempre el Signor Dio ha havuta della Republica nostra come per infinite experientie de tempo in tempo se ha veduto. Unde essendo in questa materia de i strigoni et heretici da proceder cum gran maturità però l' andarà parte che chiamado nel collegio nostro el Rev^mo Legato intervenendo i capi di questo conseio li sia per el Ser^mo Prencipe nostro cum quelle grave et accomodate parole parcranno alla sapientia de sua serenità dechiarito quanto l' importi che questa materia sia cum maturità et justicia rite et recte et per ministri che manchino de ogni suspitione tractata et terminata in forma che iuxta la intention et desiderio nostro tutto passi iuridicamente et cum satisfaction dell' honor del Signor Dio et della fede cathelica. E però ne par debino esser deputadi ad questa inquisitione uno o doi Reverendi Episcopi insieme cum uno venerabile Inquisitor i qual tutti siano de doctrina, bontà et integrità prestanti ac omni exceptione majores: Azò non se incorri nelli errori vien ditto esser seguiti fin questo jorno et unitamente cum doi excellenti doctori de Bressa habbino a formar legitime i processi contra i dicti strigoni et heretici. Formati veramente i processi (citra tamen torturam) siano portati a Bressa dove per i predicti cum la presentia et intervento de ambi li Rectori nostri et cum la corte del Podestà et quattro altri Doctori de Bressa della qualità sopradicta: siano lecti essi processi facti cum al dir etiam i rei et intender se i ratificheranno i loro dicti o se i voranno dir altro nee non far nove examinatione o repetitione et etiam torturar se cussi indicierarano. Le quel cose facte cum ogni diligentia et circumspectione se procedi poi alla sententia per quelli a chi l'appartien, iuxta el conseio dei sopranominati. Ala execution de la qual servatis omnibus premissis et non aliter, sia dato el

brachio secular; et questo che se ha a servar neli processi da esser formati nel advenir sia medesimamente servato et excquito neli processi formati per avanti; non obstante che le sententie fusseno sta facte sopra de quelli. Preterea sia efficacemeute parlato cum dicto Rev^mo Legato e datogli cargo che circa la spese da esser fatte per la inquisitione el facci tal limitatione che sia conveniente e senza extorsiou o manzarie come se dice esser sta facte fin al presente. Sed in primis se trovi alcun expediente che lo appetito del danaro non sia causa de far condennar o vergognar alcuno senza aver cum minima culpa sicome vien divulgato finhora in molti esser seguito. Et die ender in considerazione che quelli poveri di Valcamonica sono gente simplice et de grossissimo inzegno et che hariano non minor bisogno de predicatori cum prudente iustructione della fede catholica che de persecutori cum animadversione essendo uno tanto numero de anime quante se ritrovano in quelli monti e vallade.

Demum sia suaso el R^mo Legato a la deputation de alcune persone idonee qual habbino ad reveder et investigar le manzarie et altre cose mal fatte che fusseno sta commesse fin questo jorno ne la inquisitione, et che habbino ad syndicar et castigar quelli che havesseno perpetrati de i mancamenti che si divulgano cum murmuration universale. Et questo sia facto de presenti senza interposition de tempo per bon exemplo de tutti.

Et ex nunc captum sit: che da poi facta la presente execution cum el R^mo Legato se vegni a questo Conseio per deliberar quanto se havrà ad scriver alii Rectori nostri de Bressa et altrove sicome sarà *indicato necessario*. Et sia etiam preso che tutte le pignoration ordinate et facte da poi la sospension presa a dì XII Dicembre proximo preterito in questo conseio siano irrite et nulle ne haver debbino alcuna executione.

De parte—24. De uon—1. Non sinceri—2.

IX.

Confession of a Pardoner.

(Doat, XXVI. fol. 314.)

Anno Domini MCCLXXXIX quinto Kalendas Aprilis, Berengarius Pomilli clericus uxoratus de Narbona predicator questuarius citatus comparuit Carcassone coram fratre Guillelmo de Sancto Sccano inquisitore, et juratus super sancta Dei evangelia dicere veritatem, requisitus per dictum inquisitorem sponte recognovit et dixit quod officium questuarii exercuerat pro fabrica pontium et ecclesiarum et pro aliis negotiis triginta annis vel circa in diocesi Carcassone et Narbone et quibusdam aliis. Dixit etiam quod in diocesi Carcassonensi infra annum pluries predicavit publice clero et populo, dum missa solemniter celebrabatur, et inter alia predicavit ut dixit quod qui daret ei pro hospitali Sancti Johannis unam poneriam bladi pro dicta mensura haberet triginta missas. Item dixit quod crux, in qua pependit Dominus Jesus Christus et quam portavit in suis humeris, erat adeo magna et tanti ponderis quod decem homines essent onerati de ea portanda. Item dixit quod cum beata Virgo staret ad pedem crucis, ad

preces ipsius crux inclinata est ad eam versus terram, et ipsa osculata est pedes et manus filii sui dum penderet in dicta cruce, et iterato crux se erexit. Dixit etiam quod beata Maria Magdalena quandocumque esset peccatrix et exposita operibus luxurie, non tamen se exponebat hominibus effectu libidinis vel desiderio voluptatis carnalis, sed cum ipsa vocaretur Maria et Christus debebat concipi et nasci de Maria, credebat quod Christum debebat concipere et parere, et se diversis hominibus exponebat. Dixit etiam se predicasse quedam fabulosa de Purgatorio et de liberatione animarum benefacto eleemosinarum et Missarum, que tamen in scriptura reperiuntur, sed dixit se a bonis hominibus audivisse; et ista predicavit in presentia fratris Berengarii de ordinis hospitalis sancti Johannis qui moratur Narbone. Requisitus si predicta que superius scripta sunt credit et credidit esse vera, respondit quod non, sed falsa et mendosa et erronea, sed ea predicavit ut moveret homines quod darent sibi aliquid. Dixit etiam quod predicta predicavit in ecclesiis de Podio-nauterio, de Aragone, de Villasieca, de Sancta Eulalia, de Comelano, de Monteclaro, de Roffiaco. Inquisitus si intelligit Latinum, respondit quod non. Super quibus petivit penitentiam et indulgentiam quam predictus inquisitor voluerit sibi injungere. Hec deposuit coram predicto inquisitore, presentibus fratribus Petro de Leva, Petro Regis, Joanne de Felgosio, ordinis fratrum predicatorum, et me Raimundo de Malveriis, notario inquisitionis qui hec scripsi et recepi.

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Abbreviations. — Abp.=Archbishop. —Bp.=Bishop. — C.= Council. — exc.=excommunication or excommunicated.—Inq.=Inquisition.—inq.=inquisitor.

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